



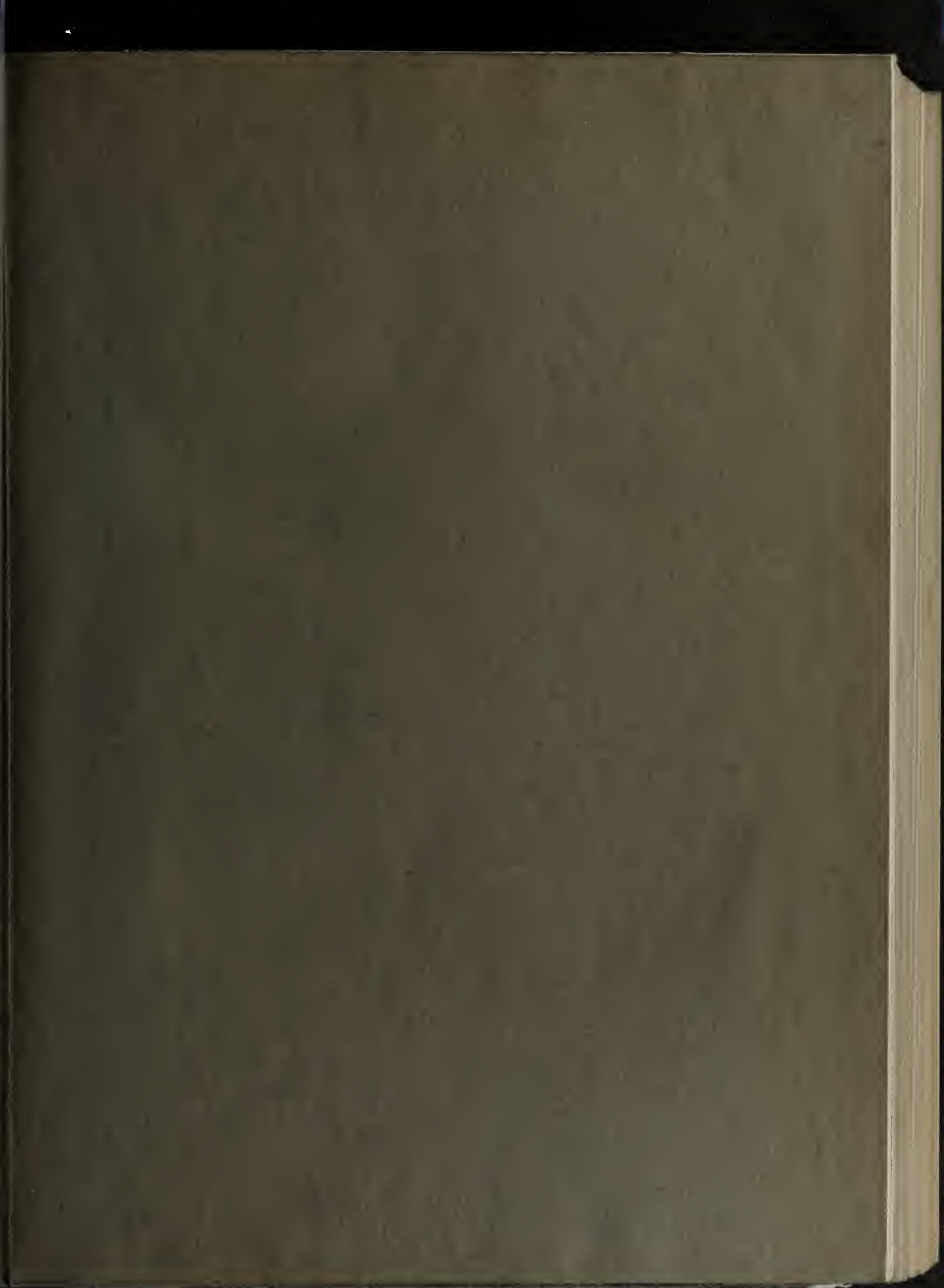


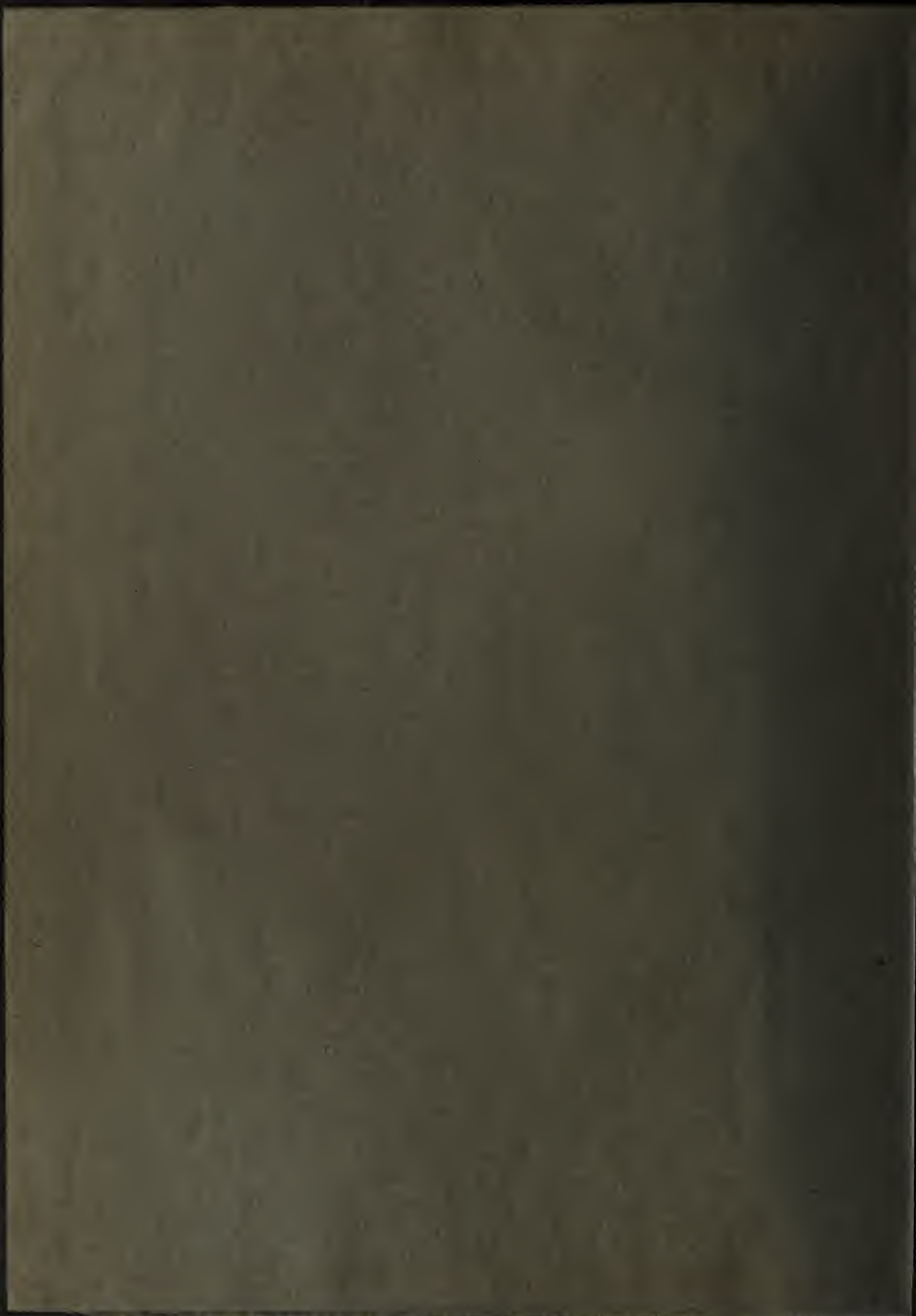
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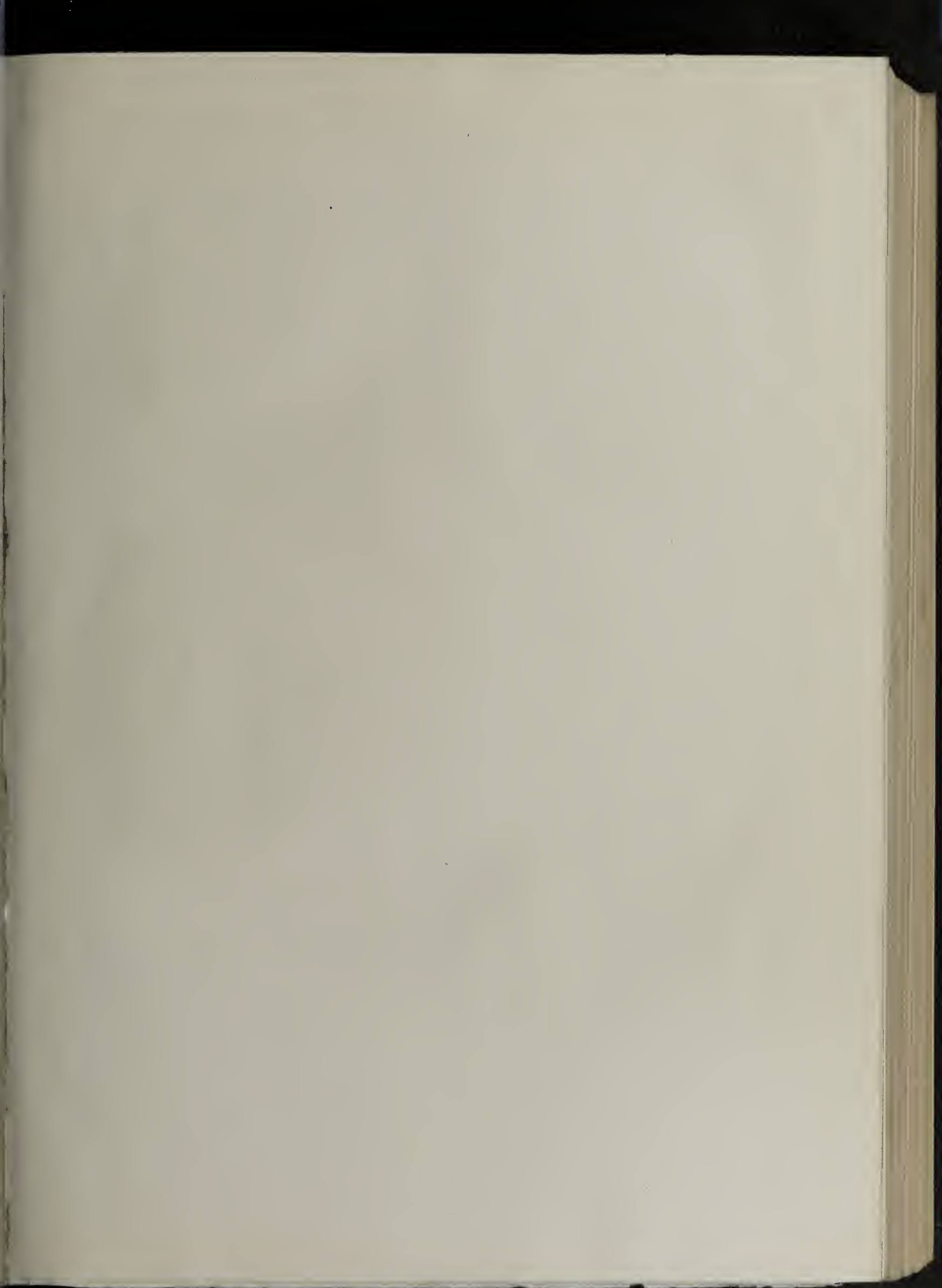
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 27

AUG 4 1939

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to June 27, 1939

Cal. No. Department Premises Affected

830-39-SM.....NYK-A and NYK-B One Hour
Metal-Covered Fire Doors,
manufactured by Metal Door
Credit Association, Material.

831-39-SA.....Thatcher Oil Burner, Gun Type,
Model Nos. B1 and B2,
Appliance.

832-39-A.....H.B.M.....452 West 49th street, south side,
163 ft. east of Tenth avenue
(Block No. 1058, Lot No. 58),
Borough of Manhattan,
Alt. 99-39.

833-39-BZ.....H.B.Q.....142-06 37th avenue (Washington
street), southeast corner of
Union street (Block No. 5011,
Lot No. 8), Flushing, Borough
of Queens, Alt. 1148-39.

834-39-SA.....Carrier Weathermaster Unit,
Types 36C, 36D, and 36E,
Appliance.

835-39-SA.....Carrier Home Weathermaker,
Type 59H, Appliance.

836-39-BZ.....H.B.B.....1793 - 1799 Eastern Parkway,
north side, 68.4 ft. west of
Dean street and 2348-2354
Dean Street (Block No. 1449,
Lot Nos. 19 and 21), Borough
of Brooklyn, N.B. 1027-39.

837-39-A.....H.B.B.....1901-1911 West 12th street and
50-60 Avenue S, southeast
corner (Block No. 7077, Lot
No. 1), Borough of Brooklyn,
Alt. 910-39.

838-39-SM.....Neumade Vented Cabinet for
Motion Picture Film, Models
Fumetite, Fire Chief, Fire
Safe and Firetite, manufac-
tured by Neumade Products
Corporation, Material.

839-39-SA.....Acme Type PS High and Low
Water Level Indicating De-
vice for Pressure Tank,
Appliance.

840-39-A.....H.B.B.....1068 East Tenth street, west side,
210 ft. north of Avenue K
(Block No. 6530, Lot No. 33),
Borough of Brooklyn,
Alt. 2567-39.

841-39-SA.....Demand Oil Burner, Model A,
for Pressing Machine,
Appliance.

842-39-BZ.....H.B.B.....963-985 Rutland road, north side,
between East 92nd street and
East 93rd street (Block No.
4595, Lot Nos. 54, 62 and 64-
67 inclusive), Borough of
Brooklyn, Applic. 1968-39.

843-39-A.....H.B.Q.....World's Fair boulevard (Horace
Harding boulevard) North
side, 464.41 ft. east of Queens
boulevard (Block No. 980,
Lot No. 1 and Block No. 983,
Lot No. 43), Flushing, Bor-
ough of Queens,
N.B. 5146-37.

844-39-S.....F.D.....829 East 134th street and 141
Walnut avenue (Block No.
2586, Lot No. 26), Borough
of The Bronx,
4825-L.F. and 4826-L.F.

845-39-BZ.....H.B.B.....253-263 Empire boulevard and
369-379 Rogers avenue, north-
east corner (Block No. 1308,
Lot No. 1), Borough of
Brooklyn, Applic. 1451-39.

846-39-BZ.....H.B.Bx.....South side of East 162nd street,
100 ft. west of Sheridan ave-
nue (Block No. 2460, Lot No.
10), Borough of The Bronx,
Decision re Certificate
of Occupancy.

847-39-A.....F.D.....Barge, 1000 ft. off shore, Atlan-
tic Ocean, between westerly
line of Jacob Riis Park, Rock-
away Beach and Beach 32nd
street, Far Rockaway, Bor-
ough of Queens, Decision.

848-39-A.....F.D.....35-39 West 33rd street, north
side, 277 ft. 3 in. east of
Broadway (Block No. 835,
Lot No. 15), Borough of
Manhattan,
3295-L.F. and Decision.

849-39-SM.....Dragon Superior High Early
Strength Portland Cement,
manufactured by Lawrence
Portland Cement Company,
Material.

850-39-A.....F.D.....142-148 West 21st street, south
side, 200 ft. east of Seventh
avenue (Block No. 796, Lot
No. 63), Borough of Manhat-
tan, 2349-L.F. and Decision.

851-39-SA.....Binks Circulating System for
Paint Spraying, Appliance.

852-39-A.....H.B.R.....Southwest corner of Western
avenue and Richmond Terrace
(Block No. 1400, Lot No. 1),
Port Ivory, Borough of Rich-
mond, Alt. 133-39.

853-39-A.....H.B.Bx.....271 East Kingsbridge road, east
side, 100.32 ft. north of Briggs
avenue (Block No. 3293, Lot
No. 109), Borough of The
Bronx, Alt. 306-39.

854-39-SM.....Acme Kalamein One and One-
Half to Two Hour Fireproof
Door, manufactured by Acme
Kalamein Door and Sash
Company, Inc., Material.

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855-39-A.....H.B.M.....717-723 East 12th street, north side, 443 ft. west of Avenue D and 716-722 East 13th street (Block No. 382, Lot No. 22), Borough of Manhattan, N.B. 31-39.

856-39-BZ.....H.B.R.....823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond, N.B. 153-39.

857-39-A.....H.B.M.....130-134 Maiden lane, southwest corner of Water street (Block No. 39, Lot Nos. 26, 27 and 28), Borough of Manhattan, F.P. 392-39.

858-39-A.....F.D.....850 Richmond Terrace, south side, from Tysen street to Kissel avenue (Block No. 76, Lot No. 1), Livingston, Borough of Richmond, Decision.

859-39-A.....H.B.B.....431 Columbia street, east side, 100 ft. south of Huntington street (Block No. 534, Lot No. 5), Borough of Brooklyn, Alt. 2153-39.

860-39-SM.....Edison Portland Cement, manufactured by Edison Cement Corporation, Material.

861-39-SM.....Edison Portland Plus Cement, manufactured by Edison Cement Corporation, Material.

862-39-SM.....Edison High Early Strength Portland Cement, manufactured by Edison Cement Corporation, Material.

863-39-SM.....Edison Dark Portland Cement, manufactured by Edison Cement Corporation, Material.

864-39-SM.....Edison Sulphate Resistant Portland Cement, manufactured by Edison Cement Corporation, Material.

865-39-A.....H.B.B.....5223 Snyder avenue, northwest corner of East 53rd street (Block No. 4700, Lot No. 36), Borough of Brooklyn, Alt. 901-39.

866-39-A.....H.B.Bx.....Southwest corner of Spencer place and Spencer place, and west side of Spencer place, from 19 ft. to 228 ft. south of Spencer place (Block No. 3423-P, Lot Nos. 64-73 inclusive), Borough of The Bronx, N.B. 319-39 to N.B. 331-39.

867-39-A.....H.B.Q.....34-40 to 34-66 Junction boulevard, northwest corner of 35th avenue (Block No. 1455, Lot No. 70), Corona, Borough of Queens, Alt. 1362-39.

868-39-BZ.....H.B.B.....3826-3830 Kings Highway and 1241-1245 Ryder street, southeast corner (Block No. 7817, Lot No. 34), Borough of Brooklyn, N.B. 1315-39.

869-39-A.....H.B.B.....1560 46th street, east side, 180 ft. 4 in. north of 16th avenue (Block No. 5436, Lot No. 31), Borough of Brooklyn, Alt. 2353-39.

870-39-A.....H.B.M.....25 East 78th street and 1010 Madison avenue, northwest corner (Block No. 1393, Lot No. 14), Borough of Manhattan, Alt. 2120-39.

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326-36-BZ.....H.B.B.....402-412 37th street and 961-965 Fourth avenue, southeast corner (Block No. 701, Lot No. 8), Borough of Brooklyn, N.B. 1449-39.

186-37-BZ.....H.B.Bx.....709-719 Westchester avenue, 721-725 Forest avenue, northwest corner and 712-724 Jackson avenue (Block No. 2645, Lot Nos. 5, 11 and 31), Borough of The Bronx, N.B. 445-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI ORDER SERVED ON BOARD OF STANDARDS AND APPEALS

On June 29, 1939, Arnstein and Levy, attorneys, served on board petition and order of certiorari, on behalf of City Bank Farmers Loan and Trust Co., owner, in re decision of board of May 31, 1939, denying, under section 21, motion picture theatre in restricted retail use district, under Cal. No. 272-39-BZ, premises 645-647 Madison avenue, Borough of Manhattan.

COURT DECISIONS

87th Shore Road Realty Corp. v. Murdock—On May 24, 1938, board affirmed decision of Commr. of Buildings and Tenement House Commr. in denying application for store use in cellar story of existing Multiple Dwelling in residence district, under section 21, Cal. No. 571-37-BZ, premises 8701-23 Shore road, 8702-24 Narrows avenue, 1-27 88th street and 2-30 87th street, Brooklyn. Mr. Justice Riegelmann dismissed certiorari no one opposing. (N.Y.L.J., May 25, 1939.)

* * *

Fortuna vs. Murdock—On April 5, 1938, board granted gasoline station, partly in business and partly in residence district, under section 21, Cal. No. 429-37-BZ, at premises 47-11 108th street, northeast corner 48th avenue, Corona, Borough of Queens, where there existed a legal non-conforming use, namely, stables, considering the gasoline station a vast improvement over the stables, although that too would be a non-conforming use. Mr. Justice Furman sustained board and stated that the "application (for certiorari) had no merit whatever." (N.Y.L.J., Nov. 23, 1938.)

Appellate Division, 2nd Dept., reversed order of Special Term and board on the ground that practical difficulty and unnecessary hardship were not proved as judicially construed. (N.Y.L.J., June 28, 1939.)

NOTE: The gist of the Appellate Division decision appears to be that the board cannot consider an existing non-conforming use as an element of hardship where it is desired to substitute another and new non-conforming use.

CALENDAR

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JULY 5, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, July 5, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 294-39-BZ—Application, March 8, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Alberta Realty Corporation, owner, to permit partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building occupied as a garage for more than five (5) motor vehicles and motor vehicle repair shop, so as to include a gasoline service station; premises 1523-1527 Bedford avenue, east side, 82 ft. $\frac{3}{8}$ in. north of Eastern parkway (Block No. 1260, part of Lot No. 5), Borough of Brooklyn.

CAL. NO. 395-39-BZ—Application, March 30, 1939, under section 7h of the building zone resolu-

tion, of Joseph B. Klein, applicant, on behalf of Queensboro Investing Company, owner (George Katz, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 87-02 Northern boulevard, south side, between 87th street and 88th street (Block No. 1435, Lot No. 1), Jackson Heights, Borough of Queens.

CAL. NO. 805-39-BZ—Application, March 23, 1939, under section 21 of the building zone resolution, of Charles B. Meyers, applicant, on behalf of William M. Smith, owner, to permit in a residence use and also "E" area district, the erection and maintenance of a business building (stores)—also, said building does not conform with "E" area requirements; premises 1601-1611 Avenue J and 985-995 East 16th street, northeast corner (Block No. 6709, part of Lot Nos. 47, 49 and 51), Borough of Brooklyn.

CAL. NO. 424-38-BZ—Application, May 27, 1938, under section 21 of the building zone resolution, of Mark J. Joseph, applicant, on behalf of Emil Mosbacher, owner (Messinger's Restaurant, Inc., lessee), to permit partly in a business use district and partly in a residence use district, the maintenance of an extension to a business building; premises 1763 Southern boulevard, west side, 225 ft. 4 in. south of Crotona Park East and 1753 Boston road (Block No. 2940, Lot No. 47), Borough of The Bronx.

CAL. NO. 271-39-BZ—Application, March 3, 1939, under section 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Inc., to permit in a business use district, the extension of an existing gasoline service station; premises 96-23 to 96-29 Queens boulevard, northeast corner of 63rd road (Old Mill road); (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens.

CAL. NO. 235-31-BZ—Application of Edward L. Kelly, applicant, on behalf of Pearl Palatnick, owner, reopened November 22, 1938, on order of the Court, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied by the board); premises 701-705 Utica avenue, east side, 100 ft. south of Clarkson avenue (Block No. 4637, Lot No. 41). Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 5, 1939, 2 P. M.

Appeals from Administrative Decisions

524-39-A—311-315 West 34th street, north side, 175 ft. west of Eighth avenue and 316 West 35th street (Block No. 758, Lot No. 28), Borough of Manhattan.

CALENDAR

- 476-39-A—524 East 11th street, south side, 308 ft. east of Avenue A (Block No. 404, Lot No. 16), Borough of Manhattan.
- 474-39-A—1711 Taylor avenue, west side, 95.01 ft. north of Van Nest avenue (Block No. 4020, Lot No. 26), Borough of The Bronx.
- 770-39-A—West side of Castle Hill avenue, 299.51 ft. north of Westchester avenue (Block No. 3935, Lot No. 64), Borough of The Bronx.
- 673-39-A—Barge, 1500 ft. off shore, Soundview avenue and Classon Point, Borough of The Bronx.
- 679-39-A—371 Broadway, west side, 75 ft. 3 in. north of Franklin street (Block No. 175, Lot No. 31), Borough of Manhattan.
- 680-39-A—372 Broadway, east side, 100 ft. north of Franklin street (Block No. 172, Lot No. 5), Borough of Manhattan.
- 706-39-A—721 Avenue O, northwest corner of East 8th street (Block No. 6589, Lot No. 50), Borough of Brooklyn.
- 726-39-A—From 108 North 6th street to 89, 91, 93, 95, 97, 99, 105, 109, 111, 113 and 115 North 6th street (Block No. 2326, Lot Nos. 27 to 34, inclusive, 36 to 40, inclusive), Borough of Brooklyn.
- 729-39-A—72-78 St. Edwards street and 2 Sycamore street, southwest corner (Block No. 2038, Lot No. 5), Borough of Brooklyn.
- 730-39-A—45-40 Van Dam street, northeast corner of 47th avenue (Block No. 279, Lot No. 1), Long Island City, Borough of Queens.
- 732-39-A—37-11 to 37-19 82nd street, east side, 100 ft. south of Polk avenue (Block No. 1570, Lot No. 59), Jackson Heights, Borough of Queens.
- 740-39-A—2081-2089 Broadway, northwest corner of West 72nd street (Block No. 1164, Lot No. 26), Borough of Manhattan.
- 759-39-A—85-09 94th street, east side, 80.08 ft. north of 85th road (Block No. 2888, Lot No. 47), Woodhaven, Borough of Queens.
- 765-39-A—39-17 to 39-21 21st street (Van Alst avenue), east side, 150.14 ft. south of 39th avenue (Block No. 392, Lot No. 10), Long Island City, Borough of Queens.
- 747-39-A—859-861 Utica avenue, east side, 100 ft. 2 $\frac{7}{8}$ in. north of Lincoln place (Block No. 1385, Lot No. 6), Borough of Brooklyn.
- 493-39-A—69-15 Grand avenue, north side, 84.73 ft. east of 69th street (Block No. 2500, Lot No. 60), Maspeth, Borough of Queens.
- 772-39-A—126 Beach 85th street, east side, 702.52 ft. south of Rockaway Beach boulevard (Block No. 620, Lot No. 11), Rockaway Beach, Borough of Queens.
- 778-39-A—130-142 Green street, south side, 263 ft. 7 $\frac{1}{2}$ in. west of Manhattan avenue (Block No. 2522, Lot Nos. 22, 24 and 29), Borough of Brooklyn.
- 779-39-A—84-45 90th street, northeast corner of 85th road (Block No. 32, Lot No. 30), Woodhaven, Borough of Queens.
- 780-39-A—3911 Second avenue, east side, 75.2 ft. south of 39th street (Block No. 707, Lot No. 6), Borough of Brooklyn.
- 781-39-A—746-750 Broadway and 7 Astor place, northeast corner (3rd floor); (Block No. 545, Lot No. 59), Borough of Manhattan.
- 804-39-A—1361-1369 Amsterdam avenue, northeast corner of West 126th street (Block No. 1967, part of Lot No. 40), Borough of Manhattan.
- 819-39-A—North side of Richmond terrace, 580 ft. west of Bard avenue and opposite Davis avenue (Block No. 184, Lot No. 26), West New Brighton, Borough of Richmond.
- 832-39-A—452 West 49th street, south side, 163 ft. east of Tenth avenue (Block No. 1058, Lot No. 58), Borough of Manhattan.
- 837-39-A—1901-1911 West 12th street and 50-60 Avenue S, southeast corner (Block No. 7077, Lot No. 1), Borough of Brooklyn.
- 840-39-A—1068 East 10th street, west side, 210 ft. north of Avenue K (Block No. 6530, Lot No. 33), Borough of Brooklyn.
- 794-39-A—314 West 49th street, south side, 250 ft. west of Eighth avenue and 319 West 48th street (Block No. 1039, Lot Nos. 17, 43 and 44), Borough of Manhattan.
- 809-39-A—Barge, Foot of West 10th street and McKenzie street, 1000 ft. off shore, Atlantic Ocean, waters surrounding Coney Island, Borough of Brooklyn.
- 810-39-A—Barge, between Ebbits street and Doty street, 1000 ft. off shore, New York Bay, waters surrounding Midland Beach, Borough of Richmond.
- 847-39-A—Barge, 1000 ft. off shore, Atlantic Ocean, between the westerly line of Jacob Riis Park, Rockaway Beach and Beach 32nd street, Far Rockaway, Borough of Queens.
- 848-39-A—35-39 West 33rd street, north side, 277 ft. 3 in. east of Broadway (Block No. 835, Lot No. 15), Borough of Manhattan.
- 850-39-A—142-148 West 21st street, south side, 200 ft. east of Seventh avenue (Block No. 796, Lot No. 63), Borough of Manhattan.
- 853-39-A—271 East Kingsbridge road, east side, 100.32 ft. north of Briggs avenue (Block No. 3293, Lot No. 109), Borough of The Bronx.
- 855-39-A—717-723 East 12th street, north side, 443 ft. west of Avenue D and 716-722 East 13th street (Block No. 382, Lot No. 22), Borough of Manhattan.
- 857-39-A—130-134 Maiden lane, southwest corner of Water street (Block No. 39, Lot Nos. 26, 27 and 28), Borough of Manhattan.
- 859-39-A—431 Columbia street, east side, 100 ft. south of Huntington street (Block No. 534, Lot No. 5), Borough of Brooklyn.
- 865-39-A—5223 Snyder avenue, northwest corner East 53rd street (Block No. 4700, Lot No. 36), Borough of Brooklyn.
- 867-39-A—34-40 to 34-66 Junction boulevard, northwest corner of 35th avenue (Block No. 1455, Lot No. 70) Corona, Borough of Queens.
- 870-39-A—25 East 78th street and 1010 Madison avenue, northwest corner (Block No. 1393, Lot No. 14), Borough of Manhattan.
- 696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.
- 697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

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882-39-A—Chimney Sweeps Islands in Pelham Bay, 3000 ft. east of Orchard Beach (Block No. 5649, Lot No. 150), Borough of The Bronx.

Variations of Labor Law.

718-39-S—33-01 to 33-07 Queens boulevard, northeast corner of 33rd (Rawson) street (Block No. 243, Lot No. 9), Long Island City, Borough of Queens.

760-39-S—290-302 Park avenue, southeast corner of Hall street (Block No. 1891, Lot No. 29), Borough of Brooklyn.

844-39-S—829 East 134th street and 141 Walnut avenue, northwest corner (Block No. 2586, Lot No. 26), Borough of The Bronx.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, July 5, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 75-39-BZ—Application, January 19, 1939, under section 21 of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Anna Gurein, owner, to permit in a business use district, the alteration and extension of an accessory building on an existing gasoline service station; premises 38-02 Broadway and 32-01 38th street, southeast corner (Block No. 656, Lot No. 34), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 11, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 11, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 739-38-BZ—Application of Herman Kron, applicant, on behalf of Brooklyn and Queens Transit Corporation, owner (Crown Parking Corporation, lessee), reopened and restored to calendar, March 14, 1939, under section 21 of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 880-900 Franklin avenue and 41-61 Crown street, northwest corner (Block No. 1189, part of Lot No. 31), Borough of Brooklyn.

CAL. NO. 382-39-BZ—Application, March 28, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Joe Oppenheim, owner, to permit in a business use district, on a plot of ground upon which there is a gasoline service station, the

erection of a building to be used as a lubritorium, auto laundry and office; premises 545-549 Albany avenue and 630-640 Maple street, southeast corner (Block No. 4800, Lot No. 9), Borough of Brooklyn.

CAL. NO. 510-39-BZ—Application, April 25, 1939, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Lewine Realty Corporation, owner (Gordon and Ettl, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 5821-5839 Broadway and 251-263 West 238th street, northwest corner (Block No. 3414-B, Lot Nos. 134, 136 and 140), Borough of The Bronx.

CAL. NO. 506-39-BZ—Application, April 21, 1939, under section 7h of the building zone resolution, of Joseph M. Lonergan, applicant, on behalf of Mutual Life Insurance Company, owner (Port Garage Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 46-48 Pine street and 56-60 William street, northeast corner (Block No. 41, Lot No. 22), Borough of Manhattan.

CAL. NO. 418-39-BZ—Application, April 3, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of John Polachek and Broadwalk Building Corporation, owners (Fritz Parking, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 43-06 to 43-32 43rd street, southwest corner of 43rd avenue (Block No. 163, Lot Nos. 25 and 31), Long Island City, Borough of Queens.

CAL. NO. 641-30-BZ—Application of Alfred H. Eccles, applicant, on behalf of Henry and Albert Merkle, owners, reopened January 31, 1939, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a new accessory building, on a gasoline service station, previously granted by the Board for a temporary period and, also, the extension of this temporary period; premises 207-06 Hillside avenue, south side, 41 ft. east of 207th street (Block No. 10582, Lot No. 3), Queens Village, Borough of Queens.

CAL. NO. 17-38-BZ—Application, January 13, 1938, under section 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harlem Savings Bank, owner (Rosemol Realty Corporation, lessee), to permit in a retail use district, for a temporary period of not more than two

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(2) years, the parking of more than five (5) motor vehicles; premises 324-328 West 34th street, south side, 325 ft. west of 8th avenue (Block No. 757, Lot Nos. 51 to 53, inclusive), Borough of Manhattan.

CAL. NO. 387-39-BZ—Application, March 27, 1939, under section 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of 126-08 Northern Boulevard Corporation, owner, to permit in a business use district, the inclusion of a gasoline service station in an existing building; premises 126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1), Corona, Borough of Queens.

CAL. NO. 543-26-BZ—Application of Earl R. Fenton, applicant, on behalf of Cities Service Oil Company, owner (John Boyd, lessee), reopened February 21, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district, the alteration and extension of an accessory building and, also, the relocation of pumps on a gasoline service station (previously granted by the board); premises 105-02 Queens boulevard and 69-51 Yellowstone boulevard, southwest corner (Block No. 3236, Lot No. 1), Forest Hills Terrace, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 11, 1939, 2 P. M.

Appeals from Administrative Decisions

405-39-A—960 East 173rd street, southeast corner of Vyse avenue (Block No. 2996, Lot No. 23), Borough of The Bronx.

560-39-A—605 16th street, north side, 174 ft. 7 in. east of Eleventh avenue (Block No. 5259, Lot No. 31), Borough of Brooklyn.

89-39-A—2075 Grand concourse, southwest corner of East 180th street (Block No. 3160, Lot No. 20), Borough of The Bronx (Apt. No. 1-B).

363-39-A—1999 Gleason avenue, north side, 100 ft. west of Pugsley avenue (Block No. 3793, Lot No. 55), Borough of The Bronx.

736-39-A—101 Boardwalk, the south side of Seaside boulevard, 1000 ft. west of Sand Lane (Block No. 3491, Lot No. 205), South Beach, Borough of Richmond.

791-39-A—37 Adrian avenue, west side, 454.99 ft. north of West 225th street (Block No. 2215, Lot No. 292), Borough of Manhattan.

570-39-A—957 East 172nd street, northwest corner of Vyse avenue (Block No. 2989, Lot No. 50), Borough of The Bronx.

707-39-A—1135 (1133 displayed) 86th street, north side, 278 ft. east of Eleventh avenue (Block No. 6337, Lot No. 61), Borough of Brooklyn.

869-39-A—1560 46th street, east side, 180 ft. north of 16th avenue (Block No. 5436, Lot No. 31), Borough of Brooklyn.

874-39-A—1702-1708 Albemarle road and 163-179 East 17th street, southeast corner (Block No. 5121, Lot Nos. 1, 3 and 5), Borough of Brooklyn.

807-39-A—224-240 Tenth avenue, east side, from West 23rd street to West 24th street, 465 West 23rd street and 470 West 24th street (Block No. 721, Lot No. 1), Borough of Manhattan.

788-39-A—South side of Lafayette avenue, between Alden avenue and Brighton avenue (Block No. 97, Lot No. 1), West New Brighton, Borough of Richmond.

Variation of Labor Law

1156-38-S—661-663 Broadway, east side, 161 ft. 10¼ in. south of Varet street (Block No. 3112, Lot No. 5), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July 11, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 943-38-BZ—Application, October 27, 1938, under section 7h of the building zone resolution, of Frank Nardone, applicant and lessee, on behalf of F. C. A. Corporation and Edbro Realty Corporation, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 43-25 43rd street, east side, 150 ft. south of 43rd avenue (Block No. 162, Lot Nos. 9-11 and 17), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 18, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 18, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 200-33-BZ—Application of Herman Glicker, applicant and lessee, on behalf of Consolidated Edison Company of New York, Inc., owner, reopened May 23, 1939, under new proposal, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2153-2155 First avenue and 331-337 East 111th street, northwest corner (Block No. 1683, Lot No. 18), Borough of Manhattan.

CAL. NO. 411-39-BZ—Application, March 31, 1939, under section 21 of the building zone resolution,

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tion, of Lama and Proskauer, applicants, on behalf of Violet Bazerman, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

CAL. NO. 833-39-BZ—Application, June 21, 1939, under section 7b of the building zone resolution, of Board of Education, City of New York, applicant and owner, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of a building used as a Public School to a Borough Office of the Board of Education; premises 142-06 37th avenue (Washington street), southeast corner of Union street (Block No. 5011, Lot No. 8), Flushing, Borough of Queens.

CAL. NO. 502-39-BZ—Application, April 20, 1939, under section 21 of the building zone resolution, of George Alexander, Jr., applicant, on behalf of First Baptist Church, owner, to permit in a residence use and "D" area district, the erection of an extension to an existing building (Church)—said extension not conforming with the area requirements of the building zone resolution; premises 2349 - 2353 East 15th street, east side, 250 ft. north of Avenue X (Block No. 7400, Lot No. 56), Borough of Brooklyn.

CAL. NO. 297-39-BZ—Application, March 8, 1939, under section 21 of the building zone resolution, of Ervin Palmer, applicant, on behalf of Wilson and Company, Inc., owner (H. Chazen, Inc., lessee), to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 842 First avenue and 400 East 47th street, southeast corner (Block No. 1358, part of Lot No. 47), Borough of Manhattan.

CAL. NO. 542-39-BZ—Application, May 1, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Benjamin B. Selvin, owner (Tide Water Associated Oil Company, lessee), to permit in a business use district, the extension of an accessory building on an existing gasoline service station; premises 50-01 to 50-03 Queens boulevard, northeast corner of 50th street (Block No. 1319, Lot No. 1), Woodside, Borough of Queens.

CAL. NO. 432-39-BZ—Application, April 3, 1939, under section 7h of the building zone resolution, of Cornelius Callaghan, applicant, on behalf of Lexington Avenue and 40th Street, Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 96-50 Queens boulevard, south side, 150 feet east of

63rd drive (Block No. 3082, Lot No. 61), Forest Hills, Borough of Queens.

CAL. NO. 302-39-BZ—Application, March 10, 1939, under sections 7b and 7c of the building zone resolution, of Joseph Mitchell, applicant, on behalf of Brooklyn and Queens Transit Corporation, owner (William Reike (United Auto Storage), lessee), to permit partly in an unrestricted use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, the maintenance of a gasoline service station; premises 68-02 Grand avenue, southeast corner of Brown place (Block No. 2776, part of Lot Nos. 1 and 6, parcel A), Maspeth, Borough of Queens.

CAL. NO. 444-39-BZ—Application, April 10, 1939, under section 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Josie Feruglio and Amanda Reiman, owners (Paul Reiman and Raymond Feruglio, operating as P and R Auto Service, lessees), to permit in a business use district, the extension and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 2781 Coney Island avenue, east side, 230 ft. south of Avenue Y (Block No. 7430, Lot No. 64), Borough of Brooklyn.

CAL. NO. 1047-38-BZ—Application, November 21, 1938, under section 7h of the building zone resolution, of Xelphin V. Dugal, applicant, on behalf of Seth M. Milliken and Gerrish H. Milliken, owners (Xelphin V. Dugal and James Ellswick, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 750-756 St. Nicholas avenue, east side, 490 ft. south of West 150th street (Block No. 2053, Lot No. 44), Borough of Manhattan.

CAL. NO. 354-39-BZ—Application, March 21, 1939, under section 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Direct Realty Company, owner (Peter Woudine, lessee), to permit partly in a residence use district and partly in a business use district, the extension of an existing gasoline service station; premises 3525-3529 White Plains road, west side, 115.44 ft. north of Gunhill road (Block No. 4643, Lot No. 9), Borough of The Bronx.

CAL. NO. 512-39-BZ—Application, April 25, 1939, under section 7c of the building zone resolution, of A. & M. Arrington, applicants, on behalf of Winrock Realty Company, owner, to permit partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (skating rink and bowling alleys); premises 687-699 Forest avenue, north side, 150 ft. west of Bement avenue (Block No. 168,

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Lot No. 60), West New Brighton, Borough of Richmond.

Appeal from Administrative Decision

511-39-A—687-699 Forest avenue, north side, 150 ft. west of Bement avenue (Block No. 168, Lot No. 60), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*.

JULY 18, 1939, 2 P. M.

Appeal from Administrative Decision

866-39-A—Southwest corner of Spencer place and Spencer place and west side of Spencer place, from 19 ft. to 228 ft. south of Spencer place (Block No. 3423-P, Lot Nos. 64 to 73, inclusive), Borough of The Bronx.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JUNE 27, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Wednesday morning, June 7, 1939, and the minutes of the regular meeting of the board held on Wednesday afternoon, June 7, 1939, were approved as printed in Bulletin No. 24, Vol. 24.

BUILDING ZONE CASES

543-26-BZ.

APPLICANT—Earl R. Fenton, for Cities Service Oil Company, owner (John Boyd, lessee).

SUBJECT—Application reopened February 21, 1939 (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the alteration and extension of an accessory building and, also, the relocation of pumps on a gasoline service station (previously granted by the Board.)

PREMISES AFFECTED—105-02 Queens boulevard and 69-51 Yellowstone boulevard, southwest corner (Block No. 3236, Lot No. 1), Forest Hills Terrace, Borough of Queens.

APPEARANCES—

For Applicant: Earl R. Fenton, E. T. Stewart, Charles V. Scanlan and S. H. Gleich.

For Opposition: None.

ACTION OF BOARD—Laid over to July 11, 1939, at 10 A. M., for applicant to file revised plans.

17-38-BZ.

APPLICANT—Herman Kron, for Harlem Savings Bank, owner (Rosemol Realty Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—324-328 West 34th street, southside, 325 ft. west of Eighth avenue (Block No. 757, Lots 51 to 53 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Bernard F. Stern and Herman Kron.

For Opposition: None.

ACTION OF BOARD—Laid over to July 11, 1939, at 10 A. M., on request of applicant.

75-39-BZ.

APPLICANT—Sidney L. Strauss, for Anna Gurein, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the

building zone resolution, to permit in a business use district, the alteration and extension of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—38-02 Broadway and 32-01 38th street, southeast corner (Block No. 656, Lot No. 34), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Opposition: None.

ACTION OF BOARD—Laid over to July 5, 1939, at 2 P. M., for applicant to file revised plans.

387-39-BZ.

APPLICANT—Theodore R. Feinberg, for 126-08 Northern Boulevard Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the inclusion of a gasoline service station in an existing building.

PREMISES AFFECTED—126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy, Theodore R. Feinberg, and Charles Kramer.

For Opposition: Harold Klorfein, Park Dept.

ACTION OF BOARD—Laid over to July 11, 1939, at 10 A. M., for recommendation by a Committee of the Board and decision by the Board without further argument.

1037-22-BZ.

APPLICANT—H. L. Brandt, for John M. Lee, owner.

SUBJECT—Application reopened November 1, 1938 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the alteration and conversion of occupancy of part of an existing garage for more than five (5) motor vehicles, previously granted by the Board, so as to include a motor vehicle repair shop.

PREMISES AFFECTED—4085 Tenth avenue, 433-439 West 218th street, northeast corner and 5108 Broadway (Block No. 2214, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Harrison L. Brandt, Joseph T. Riordan and John M. Lee.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

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Negative 0
Absent 0

THE RESOLUTION—

(1037-22-BZ)

WHEREAS, this application, to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a one story garage for more than five motor vehicles with stores on the southwest portion, having a frontage of 50 ft. on West 218th street and 126 ft. on Tenth avenue, affecting premises: 4085 Tenth avenue, 433-439 West 218th street, northeast corner and 5108 Broadway (Block No. 2214, Lot No. 1), Borough of Manhattan, was granted by the board November 21, 1922; and

WHEREAS, H. L. Brandt, for John M. Lee, owner, requested a reopening of the case and the alteration and conversion of these stores to a motor vehicle repair shop; and

WHEREAS, this application was reopened by vote of the board, November 1, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting June 27, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a business use district; Tenth avenue is in a business use district; West 218th street is in a business, residence and unrestricted use district, and West 219 street is in an unrestricted and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated October 25, 1938, reads:

"Your application dated August 15, 1938, for a certificate of occupancy for the use of the above premises as a motor vehicle repair shop has been denied, for the reason that the premises is located in a business district where this occupancy is prohibited by Section 4 of the Zone Resolution."

and

WHEREAS, the existing building is of non-fireproof construction, one story in height, 127 ft. 1¼ in. on Broadway and 150 ft. on West 218th street. It is proposed to occupy the southerly portion (Broadway frontage) of the existing building as a motor vehicle repair shop; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to hearing, so as to be informed of conditions.

Resolved, that the resolution adopted by the board on November 21, 1922, be and it hereby is *amended*, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it thereby is *granted on condition* that the entire structure, including the stores be erected at one time; that the Broadway and 50-foot front therefrom on 218th street be maintained and operated only as stores, separated from the garage by an unpierced fireproof wall; that the facades other than show windows on Broadway and 218th street be finished with front brick and terra cotta or stone trimmings; that the northerly gable wall be unpierced throughout its entire height and length.

Resolved further, that in the event the owner desires to occupy the corner store, with a frontage along Broadway and Tenth avenue of 79 ft. and a depth of 50 ft. along 218th street, as a motor vehicle repair shop, such use may be permitted on condition that any brake machines installed shall be so arranged and located within the building as to be accessible only from the 218th street side; that general motor vehicle repairing may be carried on, provided such work is done mainly with hand tools and on motor driven machines not requiring more than ½ h.p.; that no fender or collision work shall be done and no anvils or forges shall be

operated on the premises; that an acetylene torch may be permitted, provided the proper permit is obtained therefor; that no signs shall be erected, except along the facade of the building below the cornice, excluding all temporary signs and roof signs; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto and with the resolution adopted by the Board under this calendar number, on November 21, 1922; that this variance as a motor vehicle repair shop shall be limited to a term of five (5) years from the date of this amended resolution; that these premises shall be separated from all other parts of the building with masonry walls; that all permits shall be obtained and all work completed within three (3) months from the date of this amended resolution.

485-38-BZ.

APPLICANT—William L. Pyne, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—168-29 88th avenue, northwest corner of 168th place (Block No. 894 (9821), part of Lot No. 16), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William L. Pyne.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

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Negative 0

Absent 0

THE RESOLUTION—

(485-38-BZ)

WHEREAS, William L. Pyne, owner, filed June 13, 1938, an application under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 168-29 88th avenue, northwest corner 168th place (Block No. 894 (9821), part of Lot No. 16), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 27, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 88th avenue is in a residence use district; Hillside avenue is in a business use district; 168th street is in a residence and business use district and 168th place is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated May 15, 1938, reads:

"Your application for a Certificate of Occupancy for the parking and storage of more than five (5) cars at premises known as 168-29 88th avenue, Jamaica, is hereby denied, as premises are in a residence and business zone and such use would be contrary to Article 2, Section 3; and Article 2, Section 4, Subd. 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. on 88th avenue and 100 ft. on 168th place. The northerly portion of the plot extends into a business use district for a distance of approximately 16 ft.—the remainder of the plot is located in a residence use district. Upon the plot there is located a 2 story frame

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dwelling, which is to remain. It is proposed to use the remainder of the site for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case for the board to exercise its discretion under section 7, subdivision h of the building zone resolution, and that the applicant was entitled to temporary relief under section 21 on the grounds of practical difficulty and unnecessary hardship as to the portion in the residential use district.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Sections 7h and 21 thereof, to permit a portion of the premises under appeal to be used for the transient parking of more than five (5) motor vehicles for a temporary period of two (2) years from the date of this resolution, *on condition* that such transient parking shall be restricted to the northerly portion of the plot and the westerly portion, removed at least 30 feet from the street line of 88th avenue; that a substantial fence shall be maintained on the premises and the sole entrance for automobiles shall be restricted to 168th place; that only automobiles of the pleasure-car type shall be parked; that during the term of this variance for parking use, there shall be no other business uses on this plot; that no signs shall be erected and there shall be no lights; that all permits required shall be obtained and all work completed within two months from the date of this resolution.

58-39-BZ.

APPLICANT—Erwin Weiss, for Estate of Rich, owner, Joseph W. Fox, heir-at-law and trustee (Eddie Wheatle, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of a building to a motor vehicle repair shop.

PREMISES AFFECTED—1351½ Webster avenue, west side, 424.49 ft. north of East 169th street (Block No. 2887, Lot No. 165), Borough of The Bronx.

APPEARANCES—

For Applicant: Erwin Weiss.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(58-39-BZ)

WHEREAS, Erwin Weiss (Eddie Wheatle lessee), for Joseph W. Fox, heir-at-law and trustee of Estate of Rich, filed January 16, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of a building to a motor vehicle repair shop; premises 1351½ Webster avenue, west side, 424.49 ft. north of East 169th street (Block No. 2887, Lot No. 165), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting June 27, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals, and

WHEREAS, the use district maps accompanying the building zone resolution show that Webster avenue is in a business use district; Clay avenue is in a residence and business use district; Brooks avenue is in a business use district and East 169th street is in a business use district; and

WHEREAS, the decision of the borough superintendent of

buildings, re N.B. application No. 1346-27, dated January 3, 1939, reads:

"Please be advised that your application for a certificate of occupancy for the use of the above premises as a Motor Vehicle Repair Shop is hereby denied, as same is located in a business use district, contrary to Amended Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 90 ft.—upon which is located a one story, non-fireproof building occupied as five (5) stores. It is proposed to change the occupancy of the northerly store (18 ft. 4 in. by 79 ft. in area) to a motor vehicle repair shop; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal for temporary relief under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 21, to permit the premises under appeal to be used for motor vehicle repair work, for a period of five (5) years from the date of this resolution; that such repair work shall be restricted to light motor vehicle repairing, permitting the use of hand tools only, except that light motor driven bench tools may be used, provided that they do not require more than ½ h.p. each; that there shall be no forges, anvils or open flames on the premises, except that an acetylene torch may be used, provided a proper permit is obtained; that no oil or gasoline shall be stored on the premises other than in the cars being repaired; that signs shall be restricted to one sign on the front facia of the building, excluding all temporary signs and roof signs; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

277-39-BZ.

APPLICANT—John M. Baker, for Mary A. Bradley and George F. Bradley, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7G of the building zone resolution, to permit in a business use district, the maintenance of individual garages for more than five (5) motor vehicles.

PREMISES AFFECTED—25-12, 25-14 and 25-16 38th avenue and 38-06 27th street, southwest corner (Block No. 387, Lot Nos. 19 and 21), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John M. Baker.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(277-39-BZ)

WHEREAS, John M. Baker, for Mary A. Bradley and George F. Bradley, owners, filed March 4, 1939, an application under section 7G of the building zone resolution, to permit in a business use district, the maintenance of individual garages for more than five (5) motor vehicles, affecting premises 25-12, 25-14 and 25-16 38th avenue and

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38-06 27th street, southwest corner (Block No. 387, Lot Nos. 19 and 21), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting June 27, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 38th avenue is in a business use district; 27th street is in a business use district; Crescent street is in a business use district and 39th avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent, on B.N. application No. 163-39, dated February 28, 1939, reads:

"Request for certificate of occupancy for two 5 car garages, one 3 car garage and one 2 car garage is denied, in that use or occupancy of building or premises for the storage of more than 5 cars is contrary to Art. 2, Sect. 4 of the Building Zone Resolution. Premises are in a business district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 89 ft. on 38th avenue and 85 ft. on 27th street. Upon the plot there are located two 5 car garages, one 3 car garage and three 2 car garages for the storage of nineteen (19) motor vehicles. It is proposed to maintain these motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the applicant, having filed 81% consents of property owners within an area fixed by the board, was deemed to have complied with the requirements of section 7G of the building zone resolution and was entitled to temporary relief.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7G thereof, for a period of five years from the date of this resolution, to permit the premises under appeal to be occupied for the storage of automobiles restricted to the existing garage buildings on the premises as indicated on plans filed herein, excluding the storage or parking on the unbuilt upon space and limiting such storage to cars of the pleasure-car type; that the premises shall be maintained in an orderly manner; that there shall be erected on the interior lot lines, where walls of the garage buildings do not occur, a substantial fence; that the curb cut entrances shall not exceed those now existing; that no signs shall be erected on the premises; that during the term of this variance, there shall be no other use on the plot and no additional building shall be erected thereon other than those now existing; that the open portions of the plot where buildings do not exist, shall be leveled substantially to the grade of surrounding streets and shall be surfaced with steam cinders, clean gravel or other suitable material properly rolled or bound to prevent dusting; that all permits required shall be obtained and all work involved, completed within two months from the date of this resolution.

368-39-BZ.

APPLICANT—Louis J. Witkin, for Central Savings Bank in the City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—268-276 Tenth avenue and 464-466 West 26th street, southeast corner (Block No. 723, Lot Nos. 71 to 76, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Louis J. Witkin and G. Montague Mabie.

For Opposition: Sol Birnbaum, Louis A. Jackson, William H. Bird, S. W. Gleich and Henry J. Kloppenburg.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(368-39-BZ)

WHEREAS, Louis J. Witkin, for Central Savings Bank in the City of New York, owner, filed March 24, 1939, an application under the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, and also the parking and storage of more than five (5) motor vehicles; premises: 268-276 Tenth avenue and 464-466 West 26th street, southeast corner (Block No. 723, Lot Nos. 71-76, inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting June 27, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Tenth avenue is in a business and unrestricted use district; West 26th street is in a residence, business and unrestricted use district and West 25th street is in a residence, business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent, re N.B. application No. 16-39, dated February 23, 1939, as amended April 20, 1939, reads:

"1. The proposed construction of a gasoline service station in a business district, is contrary to Article 2, Section 4, subdivision 46 of the Building Zone Resolution.

Additional objection due to amendment:

2. The storage and parking of more than five motor vehicles in a business district is contrary to Art. 2, Sec. 4, subdiv. 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 99 ft. on Tenth avenue and 100 ft. on West 26th street. It is proposed to demolish the buildings now on the site and to erect thereon a one-story building 40 ft. by 24 ft. in area to be used as lubritorium, auto laundry and office; to install a greasing pit; the necessary tanks and pumps for a gasoline service station and to occupy the site as a gasoline service station and also, the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to the hearing; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings, re N.B. application No. 16-39, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

388-39-BZ.

APPLICANT—Gilbert I. Prowler, for Harry A. Wheeler, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7b, 7h and 21 of the building zone resolution, to permit partly in a residence use district, partly in a

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business use district and partly in an unrestricted use district, the maintenance of a garage for five (5) motor vehicles and, also, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1197-1205 De Kalb avenue, north side, 76 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot No. 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Gilbert Prowler, Harry M. Sushan, Ernest Troemel, Charles W. Ellsworth and Mrs. Troemel.

For Opposition: Alexander Berley, Michael Pasaro, Rose Kaplan and Rebecca Duckman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(388-39-BZ)

WHEREAS, Gilbert I. Prowler, for Harry A. Wheeler, owner, filed March 28, 1939, an application under sections 7b, 7h and 21 of the building zone resolution, to permit partly in a residence use district, partly in a business use district and partly in an unrestricted use district, the maintenance of a garage for five (5) motor vehicles and also, the parking and storage of more than five (5) motor vehicles; premises: 1197-1205 DeKalb avenue, north side, 76 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot No. 39), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting June 27, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that DeKalb avenue is in an unrestricted residence and business use district; Cedar street is in a business and residence use district; Bushwick avenue is in a residence use district and Evergreen avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings dated March 24, 1939, reads:

"Plot in question is partly in residential, partly in business and partly in unrestricted use zones. No parking of cars may be permitted on same. Art. II, Sect. 3 and Sec. 4a (15) of Zone Resolution.

Above application is hereby denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 75 ft. on DeKalb avenue, a distance of 261 ft. 8 in. along the westerly lot line and 132 ft. 9 in. along the northerly lot line. The westerly portion of the plot extends into a residence use district. The remainder of the plot is located partly in a business use district and partly in an unrestricted use district. Upon the plot there is located a 5 car garage, 32 ft. by 42 ft. in area, which use is to be continued. It is proposed to use the remainder of the plot for storage and parking of more than five (5) motor vehicles, for a temporary period of not more than two years; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under sections 7c and 7h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under sections 7c and 7h for a temporary period of two (2) years from the date of this resolution, to permit the premises under

appeal to be occupied for the parking and storage of more than five (5) motor vehicles, on condition that only automobiles of the pleasure car type shall be so stored and parked; that the existing old buildings on the premises shall be entirely removed; that there shall be erected on the interior lot lines, except where walls of existing buildings do not occur, a substantial fence not less than 6 ft. in height; that a substantial woven wire fence shall be erected along the street line of DeKalb avenue, continuously, except for one entrance not over 20 ft. in width with curb cut opposite of similar width; that the premises shall be leveled substantially to the grade of DeKalb avenue and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting; that no building shall be erected on the premises during the term of this variance, except there may be erected a building not over 150 sq. ft. in area nor over one story in height, which may be of frame, to be used as office and shelter for the attendant; that any lights for illumination shall be erected on pipe standards with metallic reflectors so arranged as to reflect away from the adjoining residential occupancy; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that no signs shall be erected on the premises, except there may be a sign attached to the fence at the entrance, advertising the parking and storage use, provided such sign does not extend beyond the building line and does not exceed 15 ft. in area; that during the term of this variance, the premises shall be used for no other use other than as permitted; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

Adjourned, 1:15 P.M.

EDWARD V. BARTON, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JUNE 27, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

544-37-BZ.

APPLICANT—Michael and Company, for Master Credit Discount Corporation, owner.

SUBJECT—Application (re decision of the Commissioner of Buildings) under section 21 of the Building Zone Resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a building to be used as a gasoline service station, auto laundry, lubritorium, store, newsstand, etc.

PREMISES AFFECTED—28-08 25th avenue (south) and 28-29 Astoria boulevard, west side of 29th street, from 25th avenue to Astoria boulevard (Block No. 839, Lot No. 1), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Michael Janicki.

ACTION OF BOARD—Application withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

121-38-BZ.

APPLICANT—Herman Kron, for Estate of Jonas Weil, owner.

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SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—655 Westchester avenue, northeast corner of Trinity avenue (Block No. 2635, Lot Nos. 1, 10, 59 and 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

150-38-BZ.

APPLICANT—William Shary, for Estate of Patrick H. McNulty, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a building to be used as a motor vehicle repair shop, and the parking and storage of more than five (5) motor vehicles on the remaining portion of the lot.

PREMISES AFFECTED—4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

326-36-BZ.

APPLICANT—Interborough Engineering Company, for Guiseppe Montemorano, owner.

SUBJECT—Application for consideration—reopening and rehearing under new facts (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit on a reduced plot in a business use district, the erection and maintenance of a gasoline service station (previously denied).

PREMISES AFFECTED—961-965 Fourth avenue and 402-412 37th street, southeast corner (Block No. 701, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. Peratto.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

186-37-BZ.

APPLICANT—William Shary, for Aaron Rabinowitz, James L. Clare and Lawrence N. Martin, as trustees for Series F-1.

SUBJECT—Application for consideration — reopening under new proposal (re decision of the borough

superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously denied re parking of more than five (5) motor vehicles).

PREMISES AFFECTED—709-719 Westchester avenue, 721-725 Forest avenue, northwest corner and 712-724 Jackson avenue (Block No. 2645, Lot Nos. 5, 11 and 31), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

248-39-BZ.

APPLICANT—Nicholas J. Roth (lessee), for Janssen Dairy Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—41 Barker street, east side, 700 ft. north of Castleton avenue (Block No. 197, Lot No. 34), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Lester L. Callan and Nicholas J. Roth.

For Opposition: None.

For Administration: H. Stenberg, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(248-39-BZ)

WHEREAS, Nicholas J. Roth (lessee), for Janssen Dairy Corporation, owner, filed February 28, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises: 41 Barker street, east side, 700 ft. north of Castleton avenue (Block No. 197, Lot No. 34), West New Brighton, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 27, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Barker street is in a business and unrestricted use district; Alaska street is in a business and unrestricted use district and Trinity place is in a residence and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, re alteration No. 1459-1938, dated January 30, 1939, reads:

"Your application, Alteration No. 1459-1938, filed in this office on December 7, 1938, to occupy premises 41 Barker street, east side, 700 ft. north of Castleton avenue, West New Brighton, Borough of Richmond, as a motor vehicle repair shop, is hereby denied, it being contrary to the Zoning Resolution to establish a motor

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vehicle repair shop in a business use district, these premises being located in a business use zone."

and
WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 50 ft. and a maximum depth of 168 ft. Upon the rear of the plot there is located a one story brick and concrete block building, 48 ft. 10 in. front and a maximum depth of 79 ft. 4 in. occupied for the storage of 5 motor vehicles. It is proposed to occupy this building as a motor vehicle repair shop; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore entitled to relief on the grounds of practical difficulty and unnecessary hardship; and

WHEREAS, the recommendation of the committee of the board is that the application should be granted, permitting the use of the premises for a motor vehicle repair shop, provided the motor vehicle repair work is for minor repairs with no collision work and excluding the use of anvils and forges.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations, and that the application be and it hereby is *granted* for a period of five (5) years from the date of this resolution, to permit the premises under appeal to be used as an automobile repair shop, *on condition* that there shall be no anvil or forges installed or used; that no heavy work or collision work shall be done and the only work done shall be by means of hand tools and motor driven tools not requiring motor power of more than $\frac{1}{2}$ h.p. each; that no signs shall be erected on the premises, except there may be a sign across the front, advertising the automobile repairing, but precluding all temporary signs and roof signs; that no gasoline shall be stored on the premises other than in the tanks of the cars being repaired; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

309-36-BZ.

APPLICANT—Martyn N. Weinstein, for Mount Carmel Cemetery, for Estate of J. Adams Heuss, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—(re decision of the borough superintendent of buildings) re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the erection and maintenance of a building to be used as a garage for less than five (5) motor vehicles (trucks), storage and tool house.

PREMISES AFFECTED—80-89 Cypress Hills street (Fresh Pond road), east side, 996 ft. north of Interborough parkway (Block No. 3750, Lot No. 695), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Martyn N. Weinstein.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(309-36-BZ)

WHEREAS, Roe and Kramer, for Martyn N. Weinstein, architect for Mount Carmel Cemetery, for Estate of J. Adams Heuss, owner, filed October 20, 1936, an application under the building zone resolution to permit in a residence use district the erection and maintenance of a building to be used as a garage for less than five (5) motor vehicles (trucks), storage and tool house; premises:

80-89 Cypress Hills street (Fresh Pond road), east side, 996 ft. north of Interborough parkway (Block No. 3750, Lot No. 695), Ridgewood, Borough of Queens; and

WHEREAS, this application was granted by the board February 9, 1937, on certain conditions, time to obtain permits extended December 14, 1937, and May 9, 1939, and owner requested an amendment of the resolution.

Resolved; that the Board of Standards and Appeals does hereby *amend* its resolution of February 9, 1937, so as amended, the resolution shall read:

"Resolved, that the Board of Standard and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the premises under appeal to be used for the proposed use of utility yard by the owners of Mt. Carmel Cemetery adjoining, who also will become the owners of the plot under appeal, *on condition* that the existing buildings on the premises shall be demolished; that a fence, similar to the fence enclosing the cemetery shall be extended across the street line of the property with not over one opening therein with gate not over 10 ft. in width; that on the interior lot lines a fence of substantial woven wire or equivalent shall be erected with not over two openings therein to the cemetery, such openings not to exceed 10 ft. each; that there may be erected on this lot the utility building as indicated on plans filed with this appeal, *on condition* that the building shall not exceed an area of 35 ft. by 60 ft., as shown and not extended in height more than one-story; that this building may be used as garage and utility building for cemetery purposes.

Resolved further, that in the event the owner desires to modify the area of the building and to construct the second story for a caretaker, as indicated on revised plans marked 'Received June 21, 1939' such change may be made, provided in all other respects the requirements of the resolution are complied with and that all permits are obtained and all work completed within six months from the date of this amended resolution."

CASES DISMISSED

Under the Building Zone Resolution

The chairman called attention to the following cases where notices of intention to appeal were offered for filing; but where, despite notices from this office, papers have not been completed, thus tying the hands of the administrative officials in the performance of their duty:

(1048-22-BZ)

Filed August 16, 1922—Premises: 546-554 Lefferts avenue, Reopened 585-599 East New York avenue and November 30, 1937 472-494 Kingston avenue (Block No. 1332, Lot No. 38), Borough of Brooklyn. Decision of the commissioner of buildings. Applicant: Sidney H. Kitzler, for King-Lef Holding Corporation, owner. Dismissed for lack of prosecution.

(550-37-BZ)

Filed November 19, 1937—Premises: 186-188 East 21st street, west side, 100 ft. south of Church avenue (Block No. 5101, Lot No. 6), Borough of Brooklyn. Decision of the commissioner of buildings. Applicant: Boris W. Dorfman, for Brooklyn and Queens (Y.M.C.A., owner). Dismissed for lack of prosecution.

(624-37-BZ)

Filed December 30, 1937—Premises: 2421 Boston road, northwest corner of Waring avenue

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(Block No. 4430, Lot No. 57), Borough of The Bronx. Decision of the commissioner of buildings. Applicant: Bradspies, Porter and Goldman, for William L. McDonald, owner. Dismissed for lack of prosecution.

(14-38-BZ)

Filed January 11, 1938—Premises: 2347-2357 Ralph avenue and 1314-1326 East 64th street, southeast corner (Block No. 8363, Lot No. 21), Borough of Brooklyn. Decision of the commissioner of buildings. Applicant: Hannah Brown (lessee), for Frank Elvers, owner. Dismissed for lack of prosecution.

(35-38-BZ)

Filed January 19, 1938—Premises: 70-72 Eighth avenue, east side, 46 ft. south of West 14th street and 124-130 Greenwich avenue (Block No. 618, Lot No. 1), Borough of Manhattan. Decision of the commissioner of buildings. Applicant: Robert A. Fash, for Board of Transportation, City of New York, owner (William L. Kelly, lessee). Dismissed for lack of prosecution.

(93-38-BZ)

Filed February 16, 1938—Premises: 27-11 30th avenue, northwest corner of 29th street (Block No. 575, Lot Nos. 21 and 22), Long Island City, Borough of Queens. Decision of the borough superintendent of buildings. Applicant: Helen Logan (lessee), for M. P. Murphy and Katherine A. Hahn, owners. Dismissed for lack of prosecution.

(164-38-BZ)

Filed March 11, 1938—Premises: 172-07 to 172-11 Horace Harding boulevard, northwest corner of Fresh Meadow road (Block No. 2654, Lot No. 32), Flushing, Borough of Queens. Decision of the borough superintendent of buildings. Applicant: Lama & Proskauer, for Dora Strauss, owner. Dismissed for lack of prosecution.

(247-38-BZ)

Filed April 9, 1938—Premises: 32-36 Fountain avenue, west side, 249.85 ft. south of Atlantic avenue (Block No. 4151, Lot No. 61), Borough of Brooklyn. Applicant: A. Allen Wachtel, for Doris Lipsius, owner. Dismissed for lack of prosecution.

(622-38-BZ)

Filed July 13, 1938—Premises: 117-05 Liberty avenue and 103-49 117th street, northeast corner (Block No. 9555, Lot Nos. 36, 39 and 41), Richmond Hill, Borough of Queens. Decision of the borough superintendent of buildings. Applicant: Herman F. Spinken, for Cecil Shapiro, owner. Dismissed for lack of prosecution.

(698-38-BZ)

Filed August 2, 1938—Premises: 118-02 to 118-10 Queens boulevard, southwest corner of 78th avenue (Devon place); (Block No. 3347, Lot No. 24), Forest Hills, Borough of Queens. Decision of the borough superintendent of buildings. Applicant: Lama and Proskauer, for John F. McMahon, Inc., owner. Dismissed for lack of prosecution.

(765-38-BZ)

Filed September 2, 1938—Premises: 526-528 East 14th street, south side, 245 ft. west of Avenue B (Block No. 407, Lot Nos. 21 and 22), Borough of Manhattan. Decision of the borough superintendent of buildings. Applicant: Clifford L. Tichenor, for Dry Dock Savings Institution, owner. Dismissed for lack of prosecution.

(879-38-BZ)

Filed October 3, 1938—Premises: 31-73 31st street, east side, 176 ft. north of Broadway (Block No. 613, Lot No. 13), Astoria, Borough of Queens. Decision of the borough superintendent of buildings. Applicant: Louis Marabini of Ritter, Swenson Corporation, for Columbia University, Presbyterian Hospital, N. Y. Public Library and Metropolitan Museum of Art, owners. Dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

WHEREAS, the foregoing applicants have filed with the Board of Standards and Appeals applications under the building zone resolution, affecting the premises in question; and

WHEREAS, the applicants have failed to complete their papers though duly notified to do so; and

WHEREAS, the applicant in each application was duly notified that the application was to be considered at this meeting for dismissal, but made no appearance.

Resolved, that these applications be and they hereby are dismissed for lack of prosecution.

APPEALS FROM ADMINISTRATIVE DECISIONS

363-39-A.

APPLICANT—Henry Nordheim, for Emma Grossl, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1999 Gleason avenue, north side, 100 ft. west of Pugsley avenue (Block No. 3793, Lot No. 55), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Administration: M. Harris, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 11, 1939, 2 P.M., on request of applicant.

673-39-A.

APPLICANT—Holy Cross Society, Inc., Giacomo Albanese, President, owner.

MINUTES

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge, 1500 ft. off shore, Soundview avenue and Classon Point, East River, Borough of The Bronx.

APPEARANCES—

For Applicant: Giacomo Albanese.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to July 5, 1939 at 2 P.M., pending inspection by a representative of the Fire Department.

736-39-A.

APPLICANT—Staten Island Improvement Co., owner (A. Lorenzo, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—101 Boardwalk and south side of Beach boulevard, 1000 ft. west of Sand Lane (Block No. 3491, Lot No. 205), South Beach, Borough of Richmond.

APPEARANCES—

For Applicant: Edwin H. Skinner.

ACTION OF BOARD—Laid over to July 11, 1939 at 2 P.M., to await records from Building Department.

770-39-A.

APPLICANT—George G. Miller, for Marksol Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—West side of Castle Hill avenue, 299.51 ft. north of Westchester avenue (Block No. 3935, Lot No. 64), Borough of The Bronx.

APPEARANCES—

For Applicant: George G. Miller.

For Administration: M. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 5, 1939 at 2 P.M., applicant to file plan indicating conditions.

567-39-A.

APPLICANT—Acme Bronze Powder Company, for Estate of J. L. Bittenweiser, owner.

SUBJECT—Appeal from an order and decisions of the fire commissioner.

PREMISES AFFECTED—55 Greene street and 467-471 Broome street, southwest corner (2nd floor); (Block No. 475, Lot Nos. 44-47 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Starr.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn after argument to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

689-39-A.

APPLICANT—William A. Lacerenza, for Pasquale Apicella, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—176 Fifth avenue, west side, 119 ft. 6 in. north of Sackett street (Block No. 949, Lot No. 47), Borough of Brooklyn.

APPEARANCES—

For Applicant: William A. Lacerenza.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

773-39-A.

APPLICANT—Consolidated Expanded Metals Companies, for Samuel Kusnetz, owner.

SUBJECT—APPEAL from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—377-401 Ocean avenue, east side, 150 ft. south of Woodruff avenue (Block No. 5063, Lot Nos. 14-17-21), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

1198-38-A.

APPLICANT—Revere Silversmiths, Inc., lessee, for Salamag Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—9-13 St. Nicholas avenue, northeast corner of Jefferson street (Block No. 3178, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: S. H. Nathan.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE RESOLUTION—

(1198-38-A)

WHEREAS, Revere Silversmiths, Inc., lessee, for Salamag Realty Corporation, owner, filed on December 23, 1938, an appeal from an order and decision of the fire commissioner, affecting premises 9-13 St. Nicholas avenue, northeast corner Jefferson street (Block No. 3178, Lot No. 6), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 75859-LC, dated June 27, 1938, reads:

"3. Discontinue the maintenance of any open flames or sparking device within floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire-resisting material. Rule 6.1.8-a, Spray Rules."

and

WHEREAS, the above order is referred to in a decision of the fire commissioner dated December 5, 1938; and

WHEREAS, the building is 4 stories (47 ft.) in height, 85 ft. by 75 ft. in area, of fireproof construction; erected in 1925; located in an unrestricted use district. Equipped with a sprinkler system; and occupied: 1st floor vacant; 2nd floor, mfg. knit goods, 15 persons; 3rd floor, subject of the violation, mfg. silverware, 36 persons; 4th floor, mfg. coats, 30 persons, for which no certificate of occupancy has been issued; and

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WHEREAS, the applicant contends that the open flames are 51 feet and 65 feet, respectively away from the nearest spray booths.

Resolved, that the order of the fire commissioner, No. 75859-LC, Item 3, applying to the 3rd floor, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the open flames shall be not nearer than 50 feet to any point where spraying is carried on; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that the sprinkler heads shall be maintained in spray booths, in accordance with the Paint Spraying Rules of the Board of Standards and Appeals; that all other items listed under Order No. 75859-LC shall be complied with in all respects, other than as modified herein as to Item No. 3; that in all other respects the use and occupancy of the building shall comply with all laws, rules and regulations pertaining thereto.

367-39-A.

APPLICANT—George G. Miller, for J. B. Jacobs, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—West side of Greystone avenue, 100 ft. north of west 238th street (Block No. 3414, Lot Nos. 254 and 255), Borough of The Bronx.

APPEARANCES—

For Applicant: George G. Miller.

For Administration: M. Harris, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent ..	0

THE RESOLUTION—

(367-39-A)

WHEREAS, George G. Miller, for J. B. Jacobs, owner, filed March 23, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises west side of Greystone avenue, 100 ft. north of West 238th street (Block No. 3414, Lot Nos. 254 and 255), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent on N.B. application No. 567-1938, dated February 28, 1939, reads:

"Objection No. 1 not removed:

Yard shall extend across the entire width of the lot. Sec. 26, subdiv. 3, Multiple Dwelling Law.

Note: Minimum required yard for a 63 ft. 0 in. high building shall be at least 15 ft. 6 in. See height indicated in application."

and

WHEREAS, the proposed building will be 6 stories (63.6 ft.) in height, 170.79 ft. by 84.6 ft. in area, of non-fireproof construction on a plot 200.79 ft. front and 100 ft. in depth on the southerly lot line, located in a residence use "B" area, 1½ times height district, to be occupied throughout as a Class A multiple dwelling; and

WHEREAS, it is proposed to provide a rear yard between the rear lot line and rear wall of the proposed building and a court from yard to street, parallel to the side lot line at north end of plot, as shown on diagram filed with this appeal; and

WHEREAS, the applicant contends that the plan filed complies with the provisions of the multiple dwelling law; that the borough superintendent is in error in failing to approve the plans for the building as proposed; and

WHEREAS, in the opinion of the board, the decision of the borough superintendent correctly interprets the requirements of the multiple dwelling law and that to act favorably on this appeal, would be tantamount to varying the minimum requirements of the multiple dwelling law, which

neither the board nor the borough superintendent of buildings is empowered to do.

Resolved, that the decision of the borough superintendent, on N.B. application No. 567-1938, objection No. 1, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

640-39-A.

APPLICANT—Lawrence Meyer, for John Englis and Sons, Inc., owner, Brooklyn Trust Co., Agent (M. Schneider and Sons, Inc., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—114 Greenpoint avenue, south side, 320 ft. east of Franklin street (Block No. 2563, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lawrence Meyer and Morris J. Schneider.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(640-39-A)

WHEREAS, Lawrence Meyer. (M. Schneider and Sons, Inc., lessee), for John Englis and Sons, Inc., (Brooklyn Trust Co., Agent), filed May 16, 1939, an appeal from an order of the fire commissioner, affecting premises 114 Greenpoint avenue, south side, 320 ft. east of Franklin street (Block No. 2563, Lot No. 19), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 79394-LC, dated April 19, 1939, reads:

"With reference to application dated January 12, 1939, for a permit to store and use paraffin, wax, oil, kerosene, 2 barrels of tallow at the premises, 114 Greenpoint avenue, Brooklyn, please be advised that the Fire Department is without power to issue such a permit, for the reason that a recent inspection of the premises shows that combustible mixtures (Perfumed Insecticide and Odorless Insecticide) are being manufactured on the premises. A recent report from the Central Testing Laboratory, shows that the insecticide is a combustible mixture with a flash point of 170°.

Section C-19-61, of the Administrative Code states that no permit for the manufacture of combustible mixtures (Odorless and Perfumed Insecticide) shall be issued for any building where dry goods or other materials of a highly inflammable nature are manufactured, stored or kept for sale.

1. You are, therefore, ordered to discontinue the further maintenance of combustible mixtures on the premises."

and

WHEREAS, the building is 2 stories and basement (approximately 25 ft.) in height, 25 ft. by 70 ft. in area at 1st floor and 23 ft. 6 in. by 68 ft. in area above, of class 3 construction, located in a business use, "C" area district, erected prior to 1891 and occupied throughout for the manufacture of soap, candles, disinfectants and kindred items—cellar—3 persons; 1st floor—4 persons; 2nd floor—3 persons; and

WHEREAS, the applicant contends that the present lessee has occupied the premises since 1931; that for several years fire department permits have been issued for the storage of 5 drums of vegetable oil, 5 bags of paraffin oil, 2 drums of caustic soda and 2 barrels of tallow; that on January 12, 1939, a renewal of said permit was requested and the order appealed from was issued on said application; that it is now proposed to install 5 drums of vegetable oil, one

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50 gallon drum of insecticide, one 50 gallon drum of kerosene, 5 drums of paraffin oil and one barrel of tallow; that the kerosene and insecticide are stored outside of the building during the day and inside the building at night; that there are no open flames on the premises; and to deny this appeal would be tantamount to forcing the tenant out of business.

Resolved, that the order of the fire commissioner, No. 79394-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the combustible materials stored shall not exceed the quantities proposed and that there shall at no time be more than one 55 gallon drum of kerosene and one 55 gallon drum of combustible mixtures containing kerosene; that any combustible products put up in cans or other packages shall meet the requirements of the Administrative Code therefor; that in all other respects the building and occupancy shall comply with all the requirements therefor and the premises shall be maintained to the satisfaction of the fire commissioner.

641-39-A.

APPLICANT—Harry Scala, for Louise DeVito, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings (under Section 35, General City Law re bed of mapped street).

PREMISES AFFECTED—157-23 Willets Point boulevard, northwest corner of Cross Island boulevard (Block No. 599, Lot No. 83), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Harry Scala and Louise DeVito.
For Administration: Joseph Ferro and Chas. M. McWilliams, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(641-39-A)

WHEREAS, Harry Scala, for Louise DeVito, owner, filed May 18, 1939, an application for permission to erect an addition to an existing building in the bed of a mapped street; premises: 157-23 Willets Point boulevard, northwest corner of Cross Island boulevard (Block No. 599, Lot No. 83), Whitestone, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 600-39, dated May 8, 1939, reads:

"Obj. No. 14—Permit for construction in the bed of a mapped street must be approved by the Board of Standards and Appeals."

and

WHEREAS, the building is nonfireproof, 2½ stories in height, approximately 50 ft. by 46 ft. 3½ in., irregular in area, erected in 1897 on a lot 228.39 ft. by 95 ft. in area, located in a business use, "D" area district, and occupied as a restaurant; and

WHEREAS, it is proposed to erect a one story extension 50 ft. by 25 ft. in area, fronting on Willets Point boulevard, to be occupied in connection with the existing use; and

WHEREAS, the applicant contends that the existing building has been in use as a bar and grill for 40 years; that the proposed extension is in the only direction suitable for the use intended; that the street layout was planned 20 years ago and no proceedings to acquire title has been commenced.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 600-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, under the powers conferred upon the board under section 35 of the General City Law, permitting the construction of

an extension proposed within the bed of Willets Point boulevard, *on condition* that in the event Willets Point boulevard is widened, no claim shall be made for the cost of the proposed improvement above the land; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto.

643-39-A.

APPLICANT—Otto F. Semsch, for Ernest Flagg, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—7202-7224 Ridge boulevard, 158, 172, 180 and 190 72nd street and 181-191 73rd street (Block No. 5906, Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Otto F. Semsch.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(643-39-A)

WHEREAS, Otto F. Semsch, for Ernest Flagg, owner, filed on May 5, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 7202-7224 Ridge boulevard, 158, 172, 180 and 190 72nd street and 181-191 73rd street (Block No. 5906, Lot No. 18), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated May 8, 1939, re Applic. No. 736-39, reads:

"Obj. 2. As this alteration involves a change in occupancy to wit—the conversion of the janitor's apartment to a rentable apartment permitted under the sub-curb section of the Multiple Dwelling Law, thereby requiring a new Certificate of Occupancy, all the work necessary to remove all pending items of violations on file in the Housing Division and set forth on certification from the Housing Division should be included in this application."

and

WHEREAS, the building is 9 stories (76 ft.) in height, 200 ft. by 450 ft. in area, of fireproof construction; located in a residence use district; occupied as a Class A multiple dwelling; and

WHEREAS, the applicant contends that the alteration application, which is the subject of this appeal, was made to legalize the occupancy of living rooms in an apartment below curb, and also to remove a number of structural violations; that approval of this alteration application has been withheld, due to the fact that there are several pending violations regarding accessory uses and that a certiorari as to these violations is pending in court; that since this certiorari is pending, these violations should not prevent the approval of the alteration application; that the borough superintendent should be directed to examine such alteration application so that the the applicant may be permitted to complete work involved therein; and

WHEREAS, it is the opinion of the board that the borough superintendent should act on applications for proposed alterations or changes, provided the proposed work is not now in violation and under court review; that upon the completion of such work, a temporary certificate of occupancy under the requirements of section C26-182.0 of the Administrative Building Code should be issued, covering only that portion of the building affected and which is not subject to court review as a violation of the zoning law or any other law; that a temporary certificate of occupancy for such portion of the building shall remain in force until

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a certificate of occupancy can be issued for the entire building and until such time as all violations have been complied with.

Resolved, that the decision of the borough superintendent, on Applie. No. 736-39, be and it hereby is *modified* as to Obj. No. 2 as expressed in the above preamble.

644-39-A.

APPLICANT—Ansonia Fire Prevention Co., for Charles G. Edwards Co., Managing Agents for Clara S. Peck, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—370 Broadway, east side, 75 ft. north of Franklin street (Block No. 172, Lot No. 4), Borough of Manhattan.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(644-39-A)

WHEREAS, the Ansonia Fire Prevention Co., for Clara S. Peck, owner, filed May 18, 1939 an appeal with the Board of Standards and Appeals from an order of the fire commissioner affecting premises 370 Broadway, east side, 75 ft. north of Franklin street (Block No. 172, Lot No. 4), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, order No. 1523-LF, dated July 19, 1938, reads:

"2. Provide an automatic thermostatic system connected to central office of one of the operating companies in connection with dry sprinkler system (non-automatic) in basement and sub-basement of the above premises, Art. 16, Chap. 26, Administrative Code."

and

WHEREAS, this order was referred to in a decision of the fire commissioner dated May 18, 1939; and

WHEREAS, the building is 5 stories in height, 25 ft. by 150 ft. 2 in. in area, of non-fireproof construction, erected in 1880 and occupied: cellar and sub-cellar, stock of cotton goods; 1st and 2nd stories, show rooms; 3rd story, stock room; 4th story, now vacant; 5th story, salesroom, cosmetics. The cellar and sub-cellar are equipped with a non-automatic sprinkler system with two siamese connections, one on Broadway and the other on Cortlandt alley.

Resolved, that the order of the fire commissioner, No. 1523-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Item No. 2, permitting the omission of the automatic fire alarm in connection with the sprinkler system, *on condition* that the non-automatic dry sprinkler system in the cellar and sub-cellar shall comply in all other respects with the requirements of the Building Code therefor, for an existing installation.

668-39-A.

APPLICANT—American Store Equipment and Construction Corporation, for B. and S. Consolidated, Inc., lessee (George Kremer, owner).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1251 Sixth avenue, west side, 45 ft. 4½ in. south of West 50th street (Block No. 1002, Lot No. 34), Borough of Manhattan.

APPEARANCES—

For Applicant: J. E. Stern.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(668-39-A)

WHEREAS, American Store Equipment and Construction Corporation, for B. and S. Consolidated, Inc., lessee (George Kremer, owner), filed on May 20, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 1251 Sixth avenue, west side, 45 ft. 4½ in. south of West 50th street (Block No. 1002, Lot No. 34), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. No. 3246-39, dated May 18, 1939, reads:

"31. Stairs from cellar to street should be enclosed in fireproof partitions with fireproof self-closing doors at all openings. Enclosure as shown on approved plans should be maintained. Reconsideration denied."

and

WHEREAS, the building is 5 stories (50 ft.) in height, 30 ft. by 61 ft. 11 in. in area, of non-fireproof construction; equipped with standpipe and sprinkler systems; located in a business use district and occupied: Cellar—restaurant, 22 persons; 1st floor, same—65 persons; 2nd floor, same—65 persons; 3rd to 5th floors—abandoned; and

WHEREAS, it is proposed to omit the enclosure around the stair leading from vestibule to cellar; and

WHEREAS, the applicant contends that the dining room in the cellar is used only during the lunch period; that the cellar ceiling is fire-retarded and the cellar has two exits—one a 3 ft. 8 in. wide iron stair leading directly to street through an entrance vestibule and a 4 ft. 6 in. iron stair leading directly to street with trap doors as well as a 3 ft. iron stairs leading to dining room on 1st floor.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 3246-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the elimination of the enclosure around the stairs to cellar dining room space, *on condition* that the door shall be maintained at the top of the stairs leading directly into the vestibule, providing direct exit to the street; that there shall be a second means of exit from the cellar toward the west, which shall lead to Sixth avenue by means of sidewalk trap doors, which shall remain openable at all times while the cellar restaurant is being occupied; that such cellar restaurant at no time shall be occupied by more than 20 customers; that in all other respects the premises shall be maintained as represented and in accordance with all laws, rules and regulations applicable thereto, other than as modified herein.

682-39-A.

APPLICANT—John D. Anderson, for National Gypsum Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings (under section 35, General City Law, re bed of mapped street).

PREMISES AFFECTED—East side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx.

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: M. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

MINUTES

THE RESOLUTION—

(682-39-A)

WHEREAS, John D. Anderson, for National Gypsum Company, owner, filed May 22, 1939, an appeal from a decision of the borough superintendent of buildings (under section 35 of the General City Law, re. bed of mapped street), affecting premises: East side of Cabot street, 205.92 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on F. P. Applic. No. 218-39, dated May 16, 1939, reads:

"1: Installation of tanks in bed of mapped street contrary to General City Law. Section 35."

and
WHEREAS, the premises consist of a large plot, approximately 675 ft. by 347 ft. in area, upon which various buildings have been erected for occupancy by the owner and in connection with which it is proposed to install six 20,000 gallon fuel oil storage tanks and the necessary piping in connection therewith, in the bed of Cabot street as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that the proposed oil storage system is an essential part of the plant improvements now being made; that the proposed location is a logical one from the standpoint of the plant layout; that it is impractical to install the tanks in any other location, as it would disrupt the entire plant and prevent the economical utilization of the property; that the proposed installation of fuel tanks and piping is incidental to the improvements now being made in connection with which the Board authorized the erection of a building in Cabot street, under Cal. No. 309-39-A; that the Commissioner of Borough Works of The Bronx has stated in a communication dated March 16, 1939, addressed to the applicant, that there is no projected plan to vest title or physically improve Cabot street.

Resolved, that the decision of the borough superintendent, on F. P. Applic. No. 218-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* under the powers conferred upon the Board under Section 35 of the General City Law, permitting the installation of the fuel oil tanks in the bed of Cabot street, consisting of six (6) 20,000 gallon tanks, *on condition* that in all respects this installation shall comply with the requirements of all laws, rules and regulations applicable thereto, including the Oil Burner Rules of the Board of Standards and Appeals; that this permit shall continue only so long as the tanks and piping in connection therewith are used in conjunction with the factory occupied by the National Gypsum Company.

700-39-A.

APPLICANT—Ernest J. Patane, for C. E. Sheppard Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—44-01 to 44-29 21st street (Van Alst avenue), east side, from 44th road (13th street) to 44th avenue (14th street), 21-01 to 21-15 44th road and 21-02 to 21-10 44th avenue (Block No. 439, Lot No. 14), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Ernest J. Patane and Charles Dollack.

For Administration: Thomas A. Larkin, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(700-39-A)

WHEREAS, Ernest J. Patane, for C. E. Sheppard Company, owner, filed May 26, 1939, an appeal from an order and decision of the Fire Commissioner, affecting premises 44-01 to 44-29 21st street (Van Alst avenue) east side, from 44th road to 44th avenue, 21-01 to 21-15 44th road and 21-02 to 21-10 44th avenue (Block No. 439, Lot No. 14), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 2669-LF, dated April 27, 1939, reads:

"1. Arrange the standpipe system to conform to the requirements of Article 17, Ch. 26 of Administrative Code, City of New York and comply with the following orders:

A. Standpipe risers should be connected to proper source of water supply.

B. Replace defective hose at outlets on the 1st and 2nd floors north stairway.

C. Provide nozzles for hose where missing on the 1st, 2nd and 3rd floors. C. 19.161.0 Administrative Code of the City of New York."

and

WHEREAS, the building is 3 stories (43 ft.) in height, 208.7 ft. by 154 ft., irregular, in area, of Class 1 construction; equipped with standpipe and sprinkler systems; located in an unrestricted use district; erected in 1920 and occupied: Cellar, storage and boiler room, 2 persons; 1st floor—office, bindery and machine shop, 75 persons; 2nd floor, office and printing shop, 40 persons; 3rd floor, warehouse and shipping, 50 persons. Certificate of Occupancy No. 1480 was issued November 18, 1920, for factory and garage; and

WHEREAS, the applicant contends that when the plans of the building were prepared in 1919, it was contemplated that the structure would be 5 stories and the building was subsequently erected to a height of three stories; that the standpipe and sprinkler systems were installed in the event that the additional stories were added; that no plans are now being considered for the additional stories; that their foresight in planning for a contingency, which has not materialized, should not bind them to maintain an equipment not required by the Code. The sprinkler system is a 2-source system, being supplied by an 8-inch connection to a 12-inch city main with 35 lbs. pressure on the top line and a 3,000 gallon tank 25 ft. above the top line of sprinklers; that although a standpipe system would not be required in a building of this size, equipped with a sprinkler system, the fire commissioner is without authority to permit the removal of the standpipe system; that permission of the Board is respectfully requested to permit the standpipe system to be disconnected.

Resolved, that the order of the fire commissioner, No. 2669-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the two-source sprinkler system shall be maintained to the satisfaction of the fire commissioner and that in all other respects the building and occupancy shall meet all requirements or all laws, rules and regulations applicable thereto; that the building shall not be extended beyond the present height of three (3) stories; that the standpipe system may be disconnected and the street siamese removed, provided the above requirements are complied with.

720-39-A.

APPLICANT—J. R. Anderson, for Liggett Drug Co., Inc., lessee (Bowman-Biltmore Hotels Corporation, owner).

SUBJECT—Appeal from decisions of the fire commissioner.

PREMISES AFFECTED—121 East 42nd street, northwest corner of Lexington avenue (Block No. 1280, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Applicant: John R. Anderson and W. R. Lester.

For Administration: Insp. Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(720-39-A)

WHEREAS, J. R. Anderson, for Liggett Drug Co., Inc., lessee (Bowman-Biltmore Hotels Corporation, owner), filed May 31, 1939, an appeal from decisions of the fire commissioner affecting premises 121 East 42nd street, northwest corner of Lexington avenue (Block No. 1280, Lot No. 30), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated May 16, 1939, reads:

"Your communication to install an air conditioning system at 121 East 42nd street, Manhattan, ground floor, basement, in the Commodore Hotel, has been considered and investigated.

To permit this installation would be a violation of Section C19-98.B of the Administrative Code, and your request is hereby denied."

and

WHEREAS, the decision of the fire commissioner, dated May 26, 1939, reads:

"Responding to your favor of May 19, 1939, in reference to our refusal to grant permission to install an air conditioning system at 121 East 42nd street, Manhattan, ground floor, basement, Commodore Hotel, we desire to advise that Section C19-98.B still applies, as our inspector advised that irritant refrigerant was to be used.

However, in our communication of May 16, 1939, we neglected to include that to permit this installation at that location would also be a violation of Section C19-97.F, which prohibits this type of installation in a building in which there is an opening to a subway and in these premises there is a subway."

and

WHEREAS, the building is 27 stories (300 ft.) in height, 275 ft. by 200.1 ft. in area, of fireproof construction, equipped with a standpipe and sprinkler system and erected in 1918; occupied throughout as a hotel with stores on the first and cellar stories; and

WHEREAS, it is proposed to install an air conditioning system consisting of a Westinghouse 7½ horse power condensing unit located in the basement and an evaporator coil located in the air condensing unit on the first floor; the system will be direct expansion and will have a capacity of 8 tons and use 40 pounds of refrigerant, Freon (F.12) and will be operated only during store hours; that the doors to the subway corridor will remain normally closed; an exhaust blower will be installed to remove the freon, if by accident it should escape into the cellar; two existing exhaust fans are located in the transoms, one on each street front of the street floor portion of the store; all open flames will be hooded and vented direct to outer air.

Resolved, that the decisions of the fire commissioner be and they hereby are *modified*, and that the appeal be and it hereby is *granted on condition* that in all other respects, the system in operation shall comply with the requirements therefor and shall be maintained to the satisfaction of the fire commissioner and that the door, leading from the store to the corridor leading to the subway, shall remain normally closed at all times; that all open flames shall be hooded and vented to the outer air.

743-39-A.

APPLICANT—Herman Shimansky, for Jean Barry and Joseph Barry, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—127-27 Liberty avenue, north side, 121.05 ft. east of 127th street (Block No. 575, Lot No. 51), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Herman Shimansky, Julius R. Lippman and Joseph Barry.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(743-39-A)

WHEREAS, Herman Shimansky, for Jean and Joseph Barry, owners, filed June 6, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 127-27 Liberty avenue, north side, 121.05 ft. east of 127th street (Block No. 575, Lot No. 51), Richmond Hill, Borough of Queens, and

WHEREAS, the decision of the borough superintendent on Alteration Application 1074-39, dated June 5, 1939, reads:

"The change of occupancy to a store in a frame building is contrary to Section 4.1.5 N. Y. Building Code."

and

WHEREAS, the building is two stories (25 ft.) in height, 25 ft. by 49 ft. in area at first floor and 18 ft. by 39 ft. at second floor, of Class 4 construction, located in a business use, "D" area district, erected in 1915 and occupied as a two family dwelling; and

WHEREAS, it is proposed to erect a one story extension at the front of the building of Class 3 construction and to occupy the first floor as store; and

WHEREAS, the applicant contends that the property was acquired recently for the use intended; that the dwelling has been vacant for 8 years; that there is no demand for dwellings; that this location is strictly a business street.

Resolved, that the decision of the borough superintendent, on Alteration Application No. 1074-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the alteration to store as proposed, as shown on plans filed with the borough superintendent, *on condition* that the building shall not be further extended in height or area; that the ceiling of the store shall be protected with metal ceiling over lath and plaster and that the cellar ceiling throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the 2nd floor, to be used for residential occupancy, shall have its exits independent from the store occupancy; that the store shall not be used at any time for combustible occupancy or an occupancy deemed hazardous by the fire commissioner; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto.

783-39-A.

APPLICANT—George Gross, for Gross-Morton Jamaica Estates Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—75-64, 75-68 and 75-72 185th street, northwest corner of Union turnpike and west side of 185th street, 49.36 ft. and 92.36 ft. north of Union turnpike (Block No. 7201, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred Gross.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(783-39-A)

WHEREAS, George Gross, for Gross-Morton Jamaica Estates Corporation, owner, filed June 13, 1939, an appeal from decisions of the borough superintendent of buildings affecting premises: 75-64, 75-68 and 75-72 185th street, northwest corner Union turnpike and west side of 185th street, 49.36 ft. and 92.36 ft. north of Union turnpike (Block No. 7201, Lot No. 1) Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N. B. Application Nos. 3886, 3887 and 3888—1939, dated June 1, 1939, read:

"The erection of a frame dwelling in the fire limits is contrary to section 4.1.2 of the Building Code."

WHEREAS, the premises consist of a plot fronting 135.36 ft. on 185th street and 93.94 ft. on Union turnpike, located partly in a business use district and partly in a residence use "D" area district, upon which it is proposed to erect two 2-story dwellings and one one-story dwelling and three private garages, of frame construction; and

WHEREAS, the applicant contends that the use of the street for business purposes is impractical and the proposed dwellings will be similar to those already constructed on adjacent properties by the same owner.

Resolved, that the decisions of the borough superintendent, on N. B. Application Nos. 3886, 3887 and 3888 of 1939, be and they hereby are *modified*, and that the appeal be and it hereby is *granted*, permitting the construction of a frame building under each application, *on condition* that the building shall be substantially as indicated on plans filed with the borough superintendent of buildings; that there shall be a side yard on one side not less than 5 ft. in width and on the other side not less than 11 ft. in width; that the building shall set back from the street not less than 25 ft.; that there may be constructed on each plot in addition to the residence proposed, a private garage for the use of occupant of the residence, for not over two (2) cars; that each residence building and accessory garage shall be veneered with masonry at least to the height of the 1st story, and that the roof shall be surfaced with natural slate or approved roofing; that the residence buildings shall be used for residential purposes, each for one family only; that in all other respects the buildings shall comply with all the requirements for buildings erected outside of the fire limits.

789-39-A.

APPLICANT—Morris Whinston, for Carol Construction Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—171 West 133rd street, north side, 75 ft. east of Seventh avenue (Block No. 1918, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Morris Whinston.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(789-39-A)

WHEREAS, Morris Whinston, for Carol Construction Corporation, owner, filed June 14, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 171 West 133rd street, north side, 75 ft. east of Seventh avenue (Block No. 1918, Lot No. 5), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alteration Application 754-1939 dated May 20, 1939, reads:

"A32—Relocation of cooking fixtures to interior rooms is contrary to Sec. 33, Multiple Dwelling Law."

and

WHEREAS, the building is 5 stories (50 ft.) in height, 25 ft. by 70 ft. in area, on a lot 25 ft. by 99 ft. 11 in. in area, of non-fireproof construction, located in a business use, "B" area district and erected about 1890 and occupied as a multiple dwelling with stores on the first floor; and

WHEREAS, the applicant contends that it is proposed to improve the unsanitary conditions of the building, which is an old law tenement, by removing the present kitchens and bedrooms at the rear as shown on plans filed with this appeal; that the present rear kitchens are provided with windows and the bedrooms are dark interior rooms; that as proposed, the bedrooms will be provided with a window to the outer air and the interior room will be made a kitchen. It is proposed to install a large window to the outer court and a new partition window between the kitchen and the bedrooms at the rear and a new self-closing wire-glass window on the easterly sidewalk over the one story taxpayer now existing; the applicant further agrees that in the event the side wall windows are closed up in the future by the erection of a wall, that present partition between the kitchen and bedroom will be removed to create a 32 square foot arched opening; and

WHEREAS, in the opinion of the Board, the decision of the borough superintendent is a correct interpretation of the Multiple Dwelling Law and that to grant the appeal would be tantamount to varying the requirements of the Multiple Dwelling Law, which neither this Board nor the borough superintendent of buildings is empowered to do.

Resolved, that the decision of the borough superintendent on Alteration Application 754-39, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

801-39-A.

APPLICANT—William S. Gregory, for New York University, L. Gordon Hamersley, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—22 Washington Square North, north side, 271 ft. 5½ in. west of Fifth avenue (Block No. 551, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Applicant: William S. Gregory and H. R. Ralph.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(801-39-A)

WHEREAS, William S. Gregory, for New York University, lessce, L. Gordon Hamersley, owner, filed June 15, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 22 Washington Square North, north side, 271 ft. 5½ in. west of Fifth avenue (Block No. 551, Lot No. 11), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent, on Alteration Application 853-39, dated June 19, 1939, reads:

MINUTES

"Reconsideration and approval is requested of ventilation as proposed in schedule below, giving indexes and other data:

PROPOSED	INDEX	REQUIRE- MENTS
	<i>Chges. per hr.</i>	<i>Chges. per hr.</i>
Club Dining Rm.	6	473
Kitchen	20	15
Lounge	4	20
Dining Rm. No. 2	4	9
Alumni Fed., 2nd Fl.	4	9.3
Pr. Dining Rm., 2nd Fl.	2	7.6
Alumni Fed., 3rd Fl.	0	10.2
Card Rm., 3rd Fl.	0	9
Game Rm., 4th Fl.	0	1190
Basement Toilets	0	753
1st Fl. Toilet	4	6
		22
		7

Amendment disapproved as follows:

4. Above ventilation arrangement does not comply with Art. 6, Building Code and it may therefore not be approved."

and

WHEREAS, the building is 4 stories (57 ft.) in height, 27.6 ft. by 96 ft. in area, of non-fireproof construction, located in a residence use district, and to be occupied: basement, club dining room and kitchen; 150 persons; 1st floor, lounge and dining room, 100 persons; 2nd floor, Alumni Federation administration, 70 persons; 3rd floor, same, 30 persons; 4th floor, game room and caretaker, 25 persons; and

WHEREAS, the applicant contends that it is proposed to alter the building for use as the New York University Faculty Club and Alumni Federation Administrative Building, as approved by the Board under Cal. 1216-38-A; that to comply with Article 6 of the Building Code fully as to ventilation was impractical and would involve an unnecessary hardship, in that the ducts required would be of such size as to be impossible to install and the volume of air would cause drafts and be impossible to properly heat; that the ventilation proposed is adequate for the occupancy and a modification of the decision of the borough superintendent is therefore requested.

Resolved, that the decision of the borough superintendent, on Alteration Application No. 853-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the ventilation shall be as proposed in the schedule attached to this appeal and that such rooms having exterior window openings or windows to shafts need not be required to provide mechanical ventilation, except as proposed in the aforementioned schedule; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

727-39-A.

APPLICANT—Joseph Unger, for 99th Street Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—98-81 Queens boulevard, northeast corner of 66th road (Block No. 2105, Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Unger.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(727-39-A)

WHEREAS, Joseph Unger, for 96th Street Realty Corporation, owner, filed June 1, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 98-81 Queens boulevard, northeast corner of 66th road (Block No. 2105, Lot No. 1), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, dated May 5, 1939, re Application No. 3065-1939, reads:

"Balcony (stadium) not provided with adequate exit facilities (Sec. 12.10.3a B.C.)."

and

WHEREAS, the proposed building will be 1 story (32 ft.) in height, 274 ft. and 200 ft. in area, part fireproof and part non-fireproof construction, located in a business use district and used as stores and theatre; and

WHEREAS, the applicant contends that section 12.10.3, subdivision D of the building code clearly defines when a tier shall be treated as a balcony; that the plans submitted come within the requirements for a stadium, because the highest row is not over 15 ft. above the lowest point of the cross-over in front of the first perpendicular riser; that section 12.10.3, Subdivision A, does not apply; that this building is so designed as to open up the face of the stadium which the building code does not prohibit; that at least five other theatre buildings have been similarly designed and accepted by the building department; and

WHEREAS, this appeal was granted by the board, June 13, 1939, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 13, 1939, so that as amended, the resolution shall read:

"*Resolved*, that the decision of the borough superintendent of buildings on Applic. No. 3065-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the theatre shall not be classified as a stadium type and that the balcony shall not exceed a seating capacity of more than 150 seats and shall comply with all requirements of Section C26-735.0 (12.10.6), except that the highest point of the balcony may be not over 14 ft. above the level of the cross-over at the rear of the auditorium or orchestra floor; that in all other respects the building and occupancy shall comply with the requirements of article 12, so far as the provisions thereof are applicable, *except that the exits from the balcony may be accepted if complying with the requirements of section 12.10.6 as applying to small balconies, and that no additional emergency exits in the form of additional stairways, interior stairways, exterior stairways or fire escapes need be required.*"

VARIATIONS OF LABOR LAW

607-39-S.

APPLICANT—J. M. Berlinger, for Excelsior Savings Bank, owner.

SUBJECT—Variation of the Labor Law as cited in a decision re an order of the borough superintendent of buildings.

PREMISES AFFECTED—1059-1061 Third avenue, east side, 50 ft. 5 in. south of East 63rd street (Block No. 1417, Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: C. I. Goldman.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

MINUTES

THE RESOLUTION—

(607-39-S)

WHEREAS, J. M. Berlinger, for Excelsior Savings Bank, owner, filed May 8, 1939, an application for a variation of the Labor Law, as cited in a decision re an order of the borough superintendent of buildings, affecting premises 1059-1061 Third avenue, east side, 50 ft. 5 in. south of East 63rd street (Block No. 1417, Lot No. 47), Borough of Manhattan; and

WHEREAS, the order of the borough superintendent, on Violation No. 482-39, dated February 14, 1939, reads:

"You will please take notice that there exists a violation of Section 272 of the Labor Law, at the premises hereinafter described,

In that the windows in the rear court at the south side of the building on the 1st floor are protected with stationary iron bars.

Remedy:

You are hereby directed to immediately remove the stationary iron bars from the rear windows 1st floor in the court at the south side of the building or rearrange same so they are readily removable during working hours."

and

WHEREAS, said order was repeated in a decision of the borough superintendent, dated April 27, 1939; and

WHEREAS, the building is 5 stories (61 ft.) in height, 50 ft. by 105 ft. in area at 1st floor, 50 ft. by 86 ft. in area above, of class 3 construction, located in a business use, 1½ times height "B" area district, erected in 1882 and occupied since 1915: Cellar—storage and boiler room; 1st floor—stores, rug cleaning and superintendent's apartment, 10 persons; 2nd floor—furniture display and storage, 5 persons; 3rd, 4th and 5th floors—drapery manufacturing, 25 persons per floor. The building is equipped with a sprinkler system, an interior alarm system, one interior 44 inch wide stairs enclosed in fire-retarded partitions with fireproof self-closing doors at opening, a fire escape on the rear, extending from the roof to the court at the rear with exit from the termination, by means of a gate in fence of adjoining premises to the south, thence through passageway of said building to street; and

WHEREAS, the applicant contends that the only windows affected are those on the south wall at the rear of premises facing on the court; that this portion of the building has two means of egress and is occupied by a rug cleaning establishment, where valuable rugs and tapestries are stored; that the bars are necessary to prevent burglaries; that the windows in question should not be used for egress, due to the fact that they are over a court which extends to the level of the cellar floor.

Resolved, that the Board of Standards and Appeals, does hereby *make a variation* in the requirements of the Labor Law, and that the application be and it hereby is *granted*, as to Violation No. 482-39, *on condition* that the bars on the windows in question are so arranged as to be readily openable from the inside of the building, during the hours the premises are open for business.

502-27-S.

APPLICANT—Samuel Rosenblum, for Metropolitan Life Insurance Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—16-24 West 47th street, south side, 200 ft. west of Fifth avenue (Block No. 1262, Lot No. 48), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(502-27-S)

WHEREAS, the application for a variation from the requirements of the labor law, as cited in orders of the fire commissioner, affecting premises 16-24 West 47th street, south side, 200 ft. west of Fifth avenue (Block No. 1262, Lot No. 48), Borough of Manhattan, was granted by the board, May 8, 1928 on certain conditions, resolution amended September 14, 1937 and November 1, 1938 and the owner, through his representative, Samuel Rosenblum, requested a further amendment; and

WHEREAS, this application was reopened by vote of the board; and

WHEREAS, the applicant proposed to make the building comply with the requirements of the Labor Law Zoning Resolution and Administrative Building Code, except in certain respects; and

WHEREAS, a committee of the board, has under date of June 23, 1939, made a report with recommendations as follows:

REPORT OF COMMITTEE

Cal. No. 502-27-S

16-24 West 47th St., Manhattan.

June 23, 1939.

The request is for an amendment to the resolution adopted May 8, 1928, and amended November 1, 1938, for further variation of the Labor Law, so as to permit a Certificate of Occupancy for light manufacturing.

The board has varied the law under this calendar number as to partitions and doors, provided the factory occupancy was limited to Jewelry Work and Jewelry Cases made and sold on the premises. The board also varied the Labor Law under Calendar No. 56 of 1926-S, as to fire drill, provided not more than ten persons in the entire building were engaged in work for a factory.

Examination of the plans under which the building was constructed, namely, N.B. 314 of 1923, and as altered in minor respects, indicates that the building fails to comply with the requirements for building in which manufacturing is permitted in the following respects:

1. Provide exit signs and lights over two side exits on 1st floor leading to both entrance and freight corridors and keep same unlocked during business hours.
2. Provide screens under the skylights over fireproof enclosed stair and stairs of fire tower.
3. Provide knob on inside of door leading to fire tower on 14th floor.
4. Exit to fire tower on 14th floor is obstructed; there should be clear passage at least 3 ft. wide provided.
5. Handrails should be provided on both sides of main stairs and fire tower stairs.
6. Floor weight signs should be posted.
7. Plain glass should be removed and replaced with wire glass in doors, transoms and sash in openings in corridor partitions on all floors.
8. Transoms should be made stationary or self-closing.

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9. Exit doors from rooms where more than 5 persons are employed should open in line of egress.
10. Show windows on 1st and 2nd floors are glazed with large panes of plate glass.
11. Windows on upper floors are double hung. Panes of glass also exceed 720 sq. in. in area. Thickness could not be determined.
12. Application should include occupancy of mezzanine floor.
13. Provide additional mechanical ventilation for toilets, as per Sections 131 and 133 of the Industrial Code.
14. Windows on the interior lot lines are not marked "self-closing" on plans. Same should be made self-closing fireproof windows in compliance with the Labor Law.

All of these objections have been placed by the Building Department, with the exception of Nos. 13 and 14. The applicant proposes to comply with all of these objections except 7, 8, 10 and 11. As to 11, he proposes to comply in all respects except that the windows will not be self-closing on the front of the building and will be glazed with 3/16 in. plate glass on the front and 1/8 in. double-thick on the rear. All lights on the rear windows to be not more than 720 sq. in. in area and on the front windows above the 2nd story not more than 720 sq. in. per light. The windows on the front of the building at the 1st and 2nd stories will be metal frames and sash. Those on the 2nd story shall consist of three panels of the following widths: 4 ft., 14 ft. and 4 ft., divided by copper mullions 6 in. in width, except the two end panels which are 7 ft. in width. All of these lights are 7 ft. 6 in. in height. The 1st story windows consist of show windows, no light of glass in which exceeds 7 ft. 6 in. in width by approximately 11 ft. in height. All windows on the 1st and 2nd stories, front, are glazed with 1/4 in. plate glass.

An examination of the plans and application indicates that the building was originally designed as a factory building and approved on August 3, 1923, for 25% manufacturing but was changed to a business building, due to additional objections, which were raised relating to ventilation of toilets and the size of the lights of glass in the windows. These objections were raised after the building had been completed and before the certificate of occupancy was issued, and in order to obtain a certificate of occupancy the use was changed to a business use on April 23, 1924.

The Committee recommends that the resolution adopted under Calendar No. 502 of 1927-S be amended to read: "on condition that the building comply with all the present use requirements of the Zoning Resolution, Administrative Building Code and Labor Law, except as to items 7, 8, 10 and 11 listed above, and that as to items 7 and 8, transoms and sash in and over doors and in partitions along interior corridors may be glazed with double thick plain glass and made unopenable, provided no pane exceeds 720 square inches; as to item 10, that show windows on the 1st and 2nd floors street front be glazed with plate glass in metal frames and sash not exceeding area stated above; and as to item 11 that all rear and interior lot line windows shall have fireproof frames and sash and, if not made self-closing and glazed with wire glass, shall each be protected by a sprinkler head connected to the domestic water supply opposite the centre of each window and within three feet thereof, provided no pane exceeds 720 sq. inches; that all windows facing the street above the 2nd floor shall have fireproof frames and sash, but need not be self-closing, provided sash are divided into lights not over 720 square inches and

glazed with plate glass not less than 3/16 in. in thickness.

That the variation as to fire drill under Calendar No. 56 of 1926-S may be continued provided the requirements above are complied with.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

Resolved, that the resolution adopted by the board on May 8, 1928, as amended by resolution adopted by the board on November 1, 1938, be and it hereby is *amended*, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the petition be and it hereby is *granted on condition* that the stair halls, corridors and required means of exit shall be enclosed in materials of fireproof construction, with self-closing, fireproof doors at all openings thereto; *that the building throughout may be used for manufacturing purposes, on condition that the recommendations in the report of the committee, dated June 23, 1939, are complied with and that the manufacturing in the building is limited to factory work in connection with the jewelry trade and similar light manufacturing operations, which may include a merchant tailor.*"

MATERIALS SUBMITTED FOR APPROVAL

231-38-SM.

APPLICANT—United States Gypsum Company, owner.
SUBJECT—Approval of U. S. G. Cell Concrete Roof Tile, manufactured by United States Gypsum Company.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE RESOLUTION—

(231-38-SM)

WHEREAS, the United States Gypsum Company, owner, filed April 7, 1938, an application with the Board of Standards and Appeals for approval of the material, known as U. S. G. Cell Concrete Roof Tile; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 231-38-SM.

Subject: U. S. G. Cell Roof Tile.

June 22, 1939.

The United States Gypsum Company of New York City filed on April 7, 1938, an application with the Board of Standards and Appeals for approval of their Cell Concrete Roof Tile, Type J, flat 3" x 12" x 30" and Type J, flat 3" x 18" x 30", under section C26-619.0, sub. b. A.C. (10.3.1. BC) for use on horizontal and sloping roofs.

U. S. G. Cell Concrete Roof Tile are made of a mixture of Portland cement, sand, water and a specially developed patented agent which produces a concrete tile permeated with numberless minute air cells. The concrete used consists of:

150 lbs. of Gray Portland Cement.
300 lbs. of Fine Sand.

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2 to 3 liters of foam solution.
88 to 95 lbs. of water.
Wt. 20 lbs. per sq. ft. for 3" thickness.

Reinforcing is as follows:

Type J. 3" x 12" x 30"—4" wire mesh (#12 and #14 gauge) welded with 3 #12 gauge wires in bottom and 2 near top and surrounded by 1/2" of concrete.

Type J. 3" x 18" x 30"—4" wire mesh (#11 and #14 gauge) welded with 2-3/16" rods added for longitudinal reinforcing and surrounded by 1/2" of concrete.

The Cell Concrete Tile were subjected to load tests at Columbia University under the direction of Prof. W. J. Krefeld, Director, Engineering Materials Laboratory under provisions of C-26-626.0 AC (10.3.8 BC) for a simple span. A copy of these tests dated December 9, 1937, are filed with the application.

Three specimens of Type J 3" x 12" x 30" were tested resulting in an average of 1050 lbs. load over 2 1/2 square feet and an average maximum deflection of .611 inches.

Tests were also made on Type J 3" x 18" x 30" tile. The average load of three (3) specimens tested 1347 lbs., over 3 3/4 sq. ft. and an average maximum deflection of .345 inches. All of these tests were made on the basis of a maximum span of 2' 6" and tested to meet the requirements of C-26-626.0 A.C. (10.3.8 BC) for a simple span.

On the basis of these load tests, it is recommended that Cell Concrete Tile for 2 ft. 6 in. spans be allowed for roof construction only with the total superimposed loads on simple spans with each tile supported at each end by the beams or sub-purlins under C26-626.0 Administrative Code (10.3.8 BC) as follows:

Type J Flat 3" x 12" x 30"—

Area between supports 2' 6" span — 2.5 sq. ft.
Total Load Lb. Av. (3 specimens) — 1050.
Permitted Load Lb. per Sq. Ft. — 100.

Type J Flat 3" x 18" x 30" —

Area between supports 2' 6" span — 3.75 sq. ft.
Total Load Lb. Av. (3 specimens) — 1347.
Permitted Load Lb. per Sq. Ft. — 85.

Approval is also recommended under C-26-619.0 Administrative Code (10.3.1 BC) for roofs of Class 1 and Class 2 construction for loads and spans as are provided herein where the fire protective covering is permitted to be omitted from the roof trusses as provided in C-26-618.0, Administrative Code (10.2.8 BC).

It is further recommended that such tile shall be labeled or marked "U. S. G. Flat Cell Concrete Type J Flat (3" x 12" x 30") or (3" x 18" x 30") Approved by the Board of Standards and Appeals Cal. No. 231-38-SM."

It is further recommended that this tile shall be marked as above: "Flat Cell Concrete Approved by the Board of Standards and Appeals for use in New York City," or in lieu thereof a die or stamp be made and each unit shall bear the following inscription within a circle: around the periphery, at the top, the word "App'vd"; along the bottom, "B. S. & A."; in the center, two lines, UPPER liner reading, "N. Y. C.", LOWER line reading, "Cal. No. 231-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and
WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as U. S. G. Cell Concrete Roof Tile, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

232-38-SM.

APPLICANT—United States Gypsum Company, owner.
SUBJECT—Approval of U. S. G. Long Span Solid Gypsum Tile, Types B, C and D, manufactured by United States Gypsum Company.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(232-38-SM)

WHEREAS, the United States Gypsum Company, owner, filed April 7, 1938, an application with the Board of Standards and Appeals for approval of the material, known as U.S.G. Type B, C and D, 3 in., 3 1/2 in. and 4 in. Solid Long Span Gypsum Tile; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 232-38-SM

Subject: U.S.G. Type B, C and D—3", 3 1/2" and 4" Solid Long Span Gypsum Tile

June 22, 1939.

The United States Gypsum Company of New York City filed on April 7, 1938, an application with the Board of Standards and Appeals for approval of their gypsum tile known as Types B, C and D, 3", 3 1/2" and 4" Solid Long Span Gypsum Tile, under section C-26-620.0 par. c, sub. 1 (b) A.C. (10.3.2.3 BC) for use as flooring or roofing in Class 2 Fire Protected Structures. Approval is also requested under C-26-619.0 par. b. A.C. (10.3.1 BC) and as provided for in C-26-618.0 par. a. A.C. (10.2.8 BC) for roofs in Class 1, Fireproof structures and Class 2, Fire Protected Structures where the fire protective covering is omitted from roof trusses.

U.S.G. Long Span Tile are made of gypsum conforming to the A.S.T.M. Requirement C-26-33; reinforced as follows:

Type B—3"x18"x6'0"	3—1" H.R. Channels and 4" welded wire mesh of #12 gauge wire.
Type C—3 1/2"x18"x7'0"	4—1" H.R. Channels and 4" welded wire mesh of #12 gauge wire.
Type D—4"x18"x8'0"	4—1" H.R. Channels and 4" welded wire mesh of #12 gauge wire.

The Gypsum Tile Types B, C and D, were subjected to load tests at Columbia University under the direction of Prof. W. J. Krefeld, Director, Engineering Materials Laboratory. A copy of these tests dated December 9, 1937, is filed with this application. The tile were tested as individual units as simple beams. Third point loading as required by C-26-626.0 A.C. (10.3.8 BC) was employed.

On the basis of these tests, it is recommended that the following superimposed loadings be allowed on spans as shown under C-26-626.0 Administrative Code (10.3.8) when used as simple spans, end supported:

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	Area	Span	Total Load # (av. 3 specimens)	Allowed Load #/sq. ft.
Type B (3"x18"x6'0")	7.5 sq. ft.	5'-0"	2067	65
Type C (3½"x18"x7'0")	8.25 sq. ft.	5'-6"	2537	70
*Type C (3½"x18"x7'0")	9.0 sq. ft.	6'-0"		60
Type C (3½"x18"x7'0")	9.75 sq. ft.	6'-6"	2487	60
Type D (4"x18"x8'0")	10.5 sq. ft.	7'-0"	2630	60

* 6'0" (not tested but same loading requested as for the 6'6" span which is recommended for 60 pounds per square foot.)

On the basis of these tests approval is recommended under C26-619.0 par. b. Administrative Code (10.3.1 BC) for roofs of Class 1 and Class 2 construction where the fire protective covering is omitted from roof trusses as provided in C26-618.0 par. a. Administrative Code (10.2.8 BC).

Approval of this material is also recommended under section C26-620.0 par. c., sub. 1 (b) C of the Administrative Code (10.3.2.3, sub. b. BC) which provides for the use of a floor assembly in Class 2 Fire Protected Structures of a 2 inch reinforced gypsum top slab for the floor when the supporting steel joists or beams are protected with at least ⅞ in. gypsum or cement plaster on metal lath, as provided for in this section of the Code.

Whenever U.S.G. Gypsum Tile is placed on steel beams precautions shall be taken to align the top flange surface of all supporting beams in the same plane, and each beam shall be so placed as to provide adequate and level bearing for the gypsum tile flooring at each end. No U.S.G. Long Span Gypsum Tile, Type B, C and D shall be used as a floor unless it is surfaced with a cinder concrete top or other equivalent material so as to protect against punching shear. All U.S.G. Long Span Gypsum Tile, Type B, C and D shall conform to the specifications and limitations set forth herein.

It is further recommended that each of the gypsum tile as specified herein be labeled or marked type of gypsum tile "U.S.G. Long Span Gypsum Tile, Type B, C and D" and with the label or mark "Approved for use in New York City by the Board of Standards and Appeals under Cal. 232-38-SM," or in lieu thereof, a die or stamp be made and each unit shall bear the following inscription within a circle: around the periphery, at the top, the word "APP'VD"; along the bottom, "B. S. & A."; in the center, two lines, UPPER line reading "N. Y. C.", LOWER line reading "232-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as U.S.G. Type B, C and D, 3", 3½" and 4" Solid Long Span Gypsum Tile, on condition that the material be manufactured, installed and labeled, stamped or tagged in accordance with above report.

421-39-SM.

APPLICANT—Irving Schwartzman, for Atlas Column Company, owner.

SUBJECT—Atlas Column (concrete filled), approval of. APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(421-39-SM)

WHEREAS, Irving Schwartzman, for Atlas Column Company, owner, filed April 4, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Atlas Column (concrete filled); and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 421-39-SM.

Atlas Column (Concrete Filled).

June 26, 1939.

Irving Schwartzman, for the Atlas Column Co. of Danbury, Conn., filed April 4, 1939, an application with the Board of Standards and Appeals for approval of the Atlas Column (concrete filled) under the provisions of C26-191.0 (2.2.3) Administrative Building Code.

The column consists of a mild steel shell of 5/32 in. nominal thickness and 3.96 in. diameter, 7 ft. 11 in. in length complying with A.S.T.M. specification for steel tubes, and filled with concrete of 1 part Portland cement to 2 parts sand and 3 parts broken stone by volume. Five gallons of water are used to each bag of cement. The concrete is packed with a vibrator, the cap and base is of ⅜ in. structural steel plate, 5 in. by 7 in. in area, welded to column with an added internal tie and with holes bored in the plate for fastening; column painted with standard red lead paint. The column is to be limited in use to one and two story dwellings and one story taxpayers as a substitute for brick piers or wooden posts. The column was subjected to a compression test at Columbia University; report dated March 8, 1939, indicates that the column failed at a maximum load of 52,100 lbs.

As a result of this test, it is recommended that the 3.96 in. in diameter Atlas Column (steel shell, 5/32 in. nominal thickness concrete filled) be approved for use in New York City in lengths not exceeding 7 ft. 11 in. for a maximum total load of 12,000 lbs. and when used in one and two-story dwellings and one story stores as a substitute for brick piers or wooden posts, on condition that the column be installed plumb and true and firmly secured top and bottom on substantial bearings with ¾ in. bolts through holes in plates. Each column shall be marked "Approved by the Board of Standards and Appeals, for use in New York City, under Cal. No. 421-39-SM. Maximum load 12,000 lbs."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

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Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Atlas Column (concrete filled), *on condition* that the material be manufactured, installed and marked in accordance with above report.

515-39-SM.

APPLICANT—Scovill Manufacturing Company, M-VB Division, owner.

SUBJECT—Scovill Vacuum Breaker Ballcock, No. 18, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(515-39-SM)

WHEREAS, the Scovill Manufacturing Company, M-VB Division, owner, filed April 25, 1939, an application with the Board of Standards and Appeals for approval of the material, known as the Scovill Vacuum Breaker Ballcock, No. 18; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 515-39-SM.

Scovill Vacuum Breaker Ballcock, No. 18.

June 26, 1939.

The Scovill Manufacturing Company, M-VB Division, owner, filed April 25, 1939, an application with the Board of Standards and Appeals for approval of the Scovill Vacuum Breaker Ballcock, No. 18, under the provisions of C26-1277.0 (14.8.2.8) Administrative Building Code.

The Scovill No. 18 Vacuum Breaker Ballcock was subjected to tests at the bench of the Department of Water Supply, Gas and Electricity on May 25, 1939, at 32 Vandewater Street.

The Scovill Vacuum Breaker Ballcock No. 18 has the identical mechanical principle as the Scovill S. Vacuum Breaker Ballcock tested February 24, 1939, with an improvement in the form of a regulator governing the flow of the ballcock. The improved model was subjected to a vacuum test equivalent to 26 inches of mercury and repeated tests failed to show any use of simulated contaminated water through the ballcock into the house distribution piping.

It is recommended that the Scovill Vacuum Breaker Ballcock No. 18 be approved under the provisions of Sec. C26-1277.0 (14.8.2.8) Administrative Building Code, on condition that each be stamped, labeled or marked "Approved for use in New York City by the Board of Standards and Appeals, under Cal. No. 515-39-SM" or in lieu thereof a die or stamp be made (and stamped or labeled on article, container, bag, box, bundle or cask) bearing the following inscription within a circle: around the periphery at the top, the word "APP'VD", along the bottom: "B. S. & A.", in the center, two lines, UPPER line reading "N. Y. C.", LOWER line reading "Cal. 515-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Scovill Vacuum Breaker Ballcock, No. 18, *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

685-39-SM.

APPLICANT—Bernard Marsak, owner.

SUBJECT—Beal Vacuum Breaker, for Flush Valve Equipped Fixtures only, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(685-39-SM)

WHEREAS, Bernard Marsak, owner, filed May 23, 1939, an application with the Board of Standards and Appeals for approval of the material, known as the Beal Vacuum Breaker for Flush Valve Equipped Fixtures only; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

June 26, 1939.

Cal. 685-39-SM

Subject: Beal Vacuum Breaker for Flush Valve, Equipped Fixtures only—approval of.

Bernard Marsak, owner, filed May 23, 1939, an application with the Board of Standards and Appeals for approval of the Beal Vacuum Breaker for Flush Valve equipped fixtures under the provision of C26-1277.0 (14.8.2.8) Administrative Building Code and rules for submerged Inlets of the Board of Standards and Appeals.

The unit which is a vacuum breaker designed for protection of flush valve supply fixtures only is of the mechanical principle utilizing the leverage type which closes the airport on the side of the chamber upon the introduction of water through the unit and under negative pressure conditions the leverage feature provides a checking arrangement acting as a deterrent on the vacuum relief.

This unit was subjected to vacuum tests the equivalent of 26 inches of mercury without showing any rise of simulated contaminated water above the overflow level of the water closet bowl, nor was there any escape of water through the airports under repeated operating tests.

The report of the Department of Water Supply, Gas and Electricity is a part of the record in this application.

It is recommended the Beal Vacuum Breaker be approved for use in conjunction with flush valves only, on condition that each vacuum breaker be stamped, labeled or marked, "Approved for use in New York City by the Board of Standards and Appeals, under Cal. No. 685-39-SM", or in lieu thereof, a die or stamp be made (and stamped or labeled on article, container, bag, box, bundle or cask) bearing the following in-

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scription within a circle; around the periphery, at the top, the word 'APPROVED', along the bottom: B. S. & A, in the center, two lines, UPPER line reading, N. Y. C., LOWER line reading Cal. 685-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Beal Vacuum Breaker for Flush Valve Equipped Fixtures only, *on condition* that the material be manufactured, installed and labeled, stamped or tagged in accordance with above report.

Adjourned, 5:40 P.M.

EDWARD V. BARTON, *Chief Clerk*.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

EXTRACTS FROM CHAPTER 19, ARTICLE 18 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

ARTICLE 1. General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third ($3\frac{1}{3}$), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, commercial buildings and residence buildings are buildings as so defined by Article 4, C26-235.0 of the Administrative Code of the City of New York.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for

civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

ARTICLE 3.

Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:	
Class A systems.....	\$20.00
Class B systems.....	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant.....	1.00

ARTICLE 18.

Refrigerating Systems.

C19- 96.0.	Permits.
C26-214.0.	Supervision.
C19- 97.0.	Classification.
C19- 98.0.	Permissible locations.
C19- 99.0.	Refrigerating machinery rooms and ventilation.
C19-100.0.	Open flames and electrical equipment.
C19-101.0.	Testing.
C19-102.0.	Piping.
C19-103.0.	Safety devices.
C19-104.0.	Size of safety devices.
C19-105.0.	Location and discharge of safety devices.
C19-106.0.	Operating precautions.
C19-107.0.	Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

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1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $\text{C}_2\text{Cl}_2\text{F}_4$ and monofluorotrichloromethane ("F-11") CFC_1_3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Tests pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One 1/2 inch
30 to 60 "	One 3/4 "
60 to 100 "	One 1 "
100 to 175 "	One 1 1/4 inches
175 to 250 "	One 1 1/2 "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee \$5, and for renewal thereof the sum of \$1 provided application for such renewal be made for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

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§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;

2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;

3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;

4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;

5. A school unless the refrigerating system is used exclusively for instructions or research purposes;

6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height,

and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8") of brick or six inches (6") of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigerating Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb-waiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.

2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in Column E of such table.

3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in Column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Mechanical Sq. Ft. Duct Area.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42

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600	1,450	1 1/2	6	45
700	1,630	1 1/2	6 1/2	48
800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10 1/2	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch ($\frac{1}{4}$ ") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a $\frac{3}{4}$ -inch pipe; five heads on a 1-inch pipe; six heads on a $1\frac{1}{4}$ -inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1. High Pressure Side.	Col. 2. Low Pressure Side.	
		With Safety Valves.	Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure side.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia

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emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO ₂ and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1-1/2"	1-1/2"
30 to 60 tons.....	1-1/2"	1-3/4"
60 to 100 tons.....	1-1/2"	1-1"
100 to 175 tons.....	1-1/2"	1-1 1/4"
175 to 250 tons.....	1-3/4"	1-1 1/2"
250 to 450 tons.....	1-1"	1-2"
450 to 900 tons.....	.....	2-2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

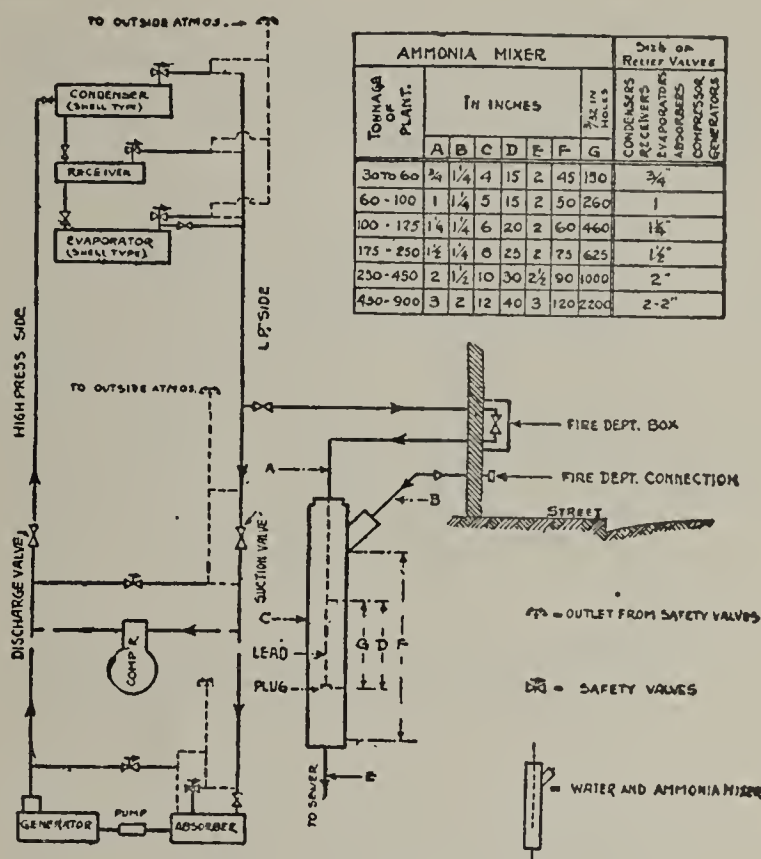
§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

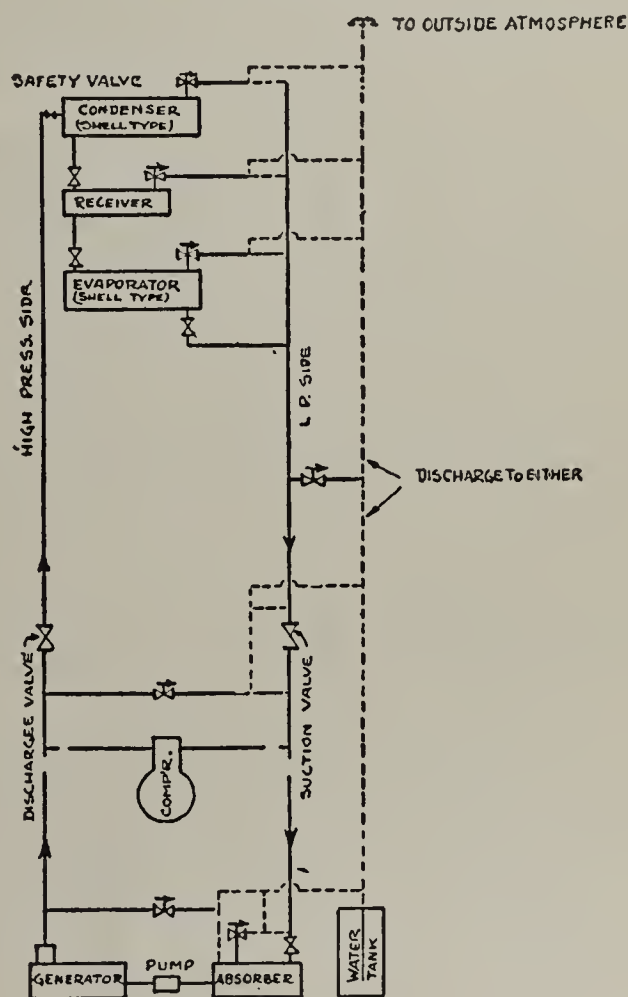
A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'A' EQUIPMENT
SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'B' EQUIPMENT
SECTION C19-107.0

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system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO₂ systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth ($\frac{1}{8}$) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half ($\frac{1}{2}$) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant re-

frigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches ($1\frac{1}{2}$ ") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least $8\frac{1}{2}$ " by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

ARTICLE 27.

Penalties.

§C19-152.0. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or by both.

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BULLETIN

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The Hearing Calendar.

Minutes of Regular Meeting July 5, 1939, at 10 A. M.,
Affecting Calendar Numbers 271-39-BZ, 294-39-BZ, 805-39-BZ, 235-31-BZ, 424-38-BZ and 395-39-BZ.

Minutes of Regular Meeting July 5, 1939, at 2 P. M.,
Affecting Calendar Numbers 75-39-BZ, 92-36-BZ, 93-37-BZ, 302-36-BZ, 98-20-BZ, 328-34-BZ, 286-37-BZ, 495-37-BZ, 476-39-A, 673-39-A, 696-39-A, 697-39-A, 726-39-A, 730-39-A, 740-39-A, 772-39-A, 781-39-A, 794-39-A, 819-39-A, 847-39-A, 850-39-A, 870-39-A, 770-39-A, 848-39-A, 855-39-A, 474-39-A, 493-39-A, 524-39-A, 679-39-A, 680-39-A, 693-39-A, 706-39-A, 729-39-A, 732-39-A, 747-39-A, 759-39-A, 765-39-A, 778-39-A, 779-39-A, 780-39-A, 804-39-A, 809-39-A, 810-39-A, 832-39-A, 837-39-A, 840-39-A, 853-39-A, 857-39-A, 859-39-A, 865-39-A, 867-39-A, 882-39-A, 216-34-A, 718-39-S, 844-39-S, 760-39-S, 329-35-SA, 46-34-SA, 348-39-SA, 488-39-SA, 13-39-SM and 420-39-SM.

Corrections Affecting Calendar Numbers 630-38-BZ and 736-38-BZ.

Paint, Varnish and Lacquer Spraying Rules.

Approved Paint, Varnish and Lacquer Spraying Equipment.

Fire Retarding Rules for Garages, etc.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to July 4, 1939

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
871-39-SA.....	W. R. Brown Corporation	Air Compressors and Spray Guns, Appliance.
872-39-BZ.....	H.B.B.....	7001-7019 Bay Parkway, southwest corner of West 10th street and 121 Avenue O (Block No. 6574, Lot No. 6), Borough of Brooklyn, B.N. 2193-39.
873-39-A.....	H.B.B.....	110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn, Amendment to Permit No. 12970-38.
874-39-A.....	H.B.B.....	1702-1718 Albemarle road and 163-179 East 17th street, southeast corner (Block No. 5121, Lot Nos. 1, 3 and 5), Borough of Brooklyn, N.B. 922-39.
875-39-BZ.....	H.B.Q.....	39-25 61st street, east side, 140 ft. south of 39th avenue (Block No. 1231, Lot Nos. 13 and 18), Woodside, Borough of Queens, Mis. Applic. 3856-39.
876-39-BZ.....	H.B.Q.....	89-03 to 89-17 169th street and 169-02 to 169-10 89th avenue, southeast corner (Block No. 891, Lot Nos. 15 and 18), Jamaica, Borough of Queens, Mis. Applic. 2069-39.
877-39-BZ.....	H.B.B.....	1059-1063 63rd street, north side, 140 ft. west of 11th avenue and 1062-1064 62nd street (Block No. 5730, Lot No. 32), Borough of Brooklyn, B.N. 2264-39.
878-39-SM.....		Century Fusable Spring Register (With Fusable Link Attachment), manufactured by Century Fan and Ventilator Company, Material.
879-39-A.....	H.B.B.....	8513 18th avenue, east side, 76 ft. 3½ in. north of 86th street (Block No. 6344, Lot No. 3), Borough of Brooklyn, Amendment to Applic. 12628-38.
880-39-A.....	F.D.....	Transportation of Gasoline in Tank Truck (not of approved type) in New York City, Decision.
881-39-A.....	F.D.....	478 Bergen street, south side, 70 ft. 10 in. west of Flatbush avenue (Block No. 933, Lot No. 30), Borough of Brooklyn, Decision re: 77284-L.C.

882-39-A	F.D.....	Chimney Sweeps Islands in Pelham Bay, 3,000 ft. east of Orchard Beach (Block No. 5649, Lot No. 150), Borough of The Bronx, Decision.
883-39-A	F.D.....	155 Columbus avenue, southeast corner of West 67th street (Block No. 1119, Lot No. 19), Borough of Manhattan, Decision.
884-39-A.....	H.B.Q.....	81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens, Decision re Corr. 3061-38 and Viol. 1361-38.
885-39-SM.....		Marnall Servitorium All Steel Lubricating Pit, manufactured by Marnall Steel Products, Inc., Material.
886-39-GR....	H.B.M.....	Interpretation of Section C26-1206-0 Administrative Code (Section 14.1.13 Building Code), re Plumbing System-Waste Lines, Decision.
887-39-SM.....		Cindercrete Concrete Blocks, manufactured by Cindercrete Block Products, Inc., Material.
888-39-A.....	H.B.B.....	9 Bay 32nd street, east side, 80 ft. south of 86th street (Block No. 6383, Lot No. 35), Borough of Brooklyn, Alt. 2555-39.
889-39-A.....	F.D.....	1-9 West 88th street and 281-283 Central Park West, northwest corner (Block No. 1202, Lot No. 29), Borough of Manhattan, 2388-L.F. and Decision.
890-39-A.....	H.B.R.....	511 Joline avenue (Block No. none, Lot No. none), Tottenville, Borough of Richmond, Decision.

891-39-A.....	F.D.....	137 Reade street, south side, 123 ft. west of Hudson street (Block No. 140, Lot No. 28), Borough of Manhattan, 15654-L.C. and Decision.
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892-39-SA.....		Clearflow Economy 2-B Unit (Dry Cleaning Machine), Appliance.
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Restored to Calendar

302-36-BZ.....	H.B.B.....	965-971 65th street, north side, 100 ft. west of Tenth avenue (Block No. 5743, Lot No. 67), Borough of Brooklyn, N.B. 1362-39.
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93-37-BZ.....	H.B.B.....	259-277 South Fifth street, north side, 103 ft. 11 in. east of Havemeyer street (Block No. 2447, Lot Nos. 21, 22, 27, 28, 29, 30, 31, 33, 34, 35, 41, 15,
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16, and 17), Borough of
Brooklyn, B.N. 1680-37.

92-36-BZ.....H.B.M.....109-131 West 50th street and 110-130 West 51st street, north side of West 50th street and south side of West 51st street, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan,
Decision re Certificate of Occupancy.

329-35-SA.....Baker Perkins Atomizing Type Mechanical Draft Oil Burner, Types C and CD, Appliance.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI ORDERS SERVED ON THE BOARD OF STANDARDS AND APPEALS

On July 5, 1939, Sol Walter Cohen, attorney, served on board petition and order of certiorari, on behalf of Columbia University Trustees, owners, and Michael T. Watts, lessee, in re decision of board of May 31, 1939, denying, under section 21, temporary storage and parking of more than five (5) motor vehicles, Cal. No. 461-38-BZ, premises 1910 Broadway, Borough of Manhattan.

On July 5, 1939, Tanzer and Mullaney, attorneys, served on board petition and order of certiorari, on behalf of Tralow Realty Corp., owner, in re decision of board of June 2, 1939, revoking permits issued by Borough Superintendent of Buildings N.B. 440-1937 and F.P. Application 705-1937, Cal. No. 329-39-A, premises N.W. cor. Ferris avenue and Seaman avenue, Borough of The Bronx.

On July 5, 1939, Tanzer and Mullaney, attorneys, served on board petition and order of certiorari, on behalf of Tralow Realty Corp., owner, in re decision of board of June 2, 1939, revoking permits issued by Borough Superintendent of Buildings N.B. Application 441 of 1937 and F.P. Application 706 of 1937, Cal. No. 330-39-A, premises N.E. cor. Ferris avenue and Schley avenue, Borough of The Bronx.

On July 10, 1939, Rao, Liggio and Cannella, attorneys, served on board, on behalf of James Newell, lessee, an order of certiorari in re decision of board of June 7, 1939, denying request for reopening and amendment of resolution in re exits from parking space granted for temporary period, under Cal. No. 428-37-BZ, at premises 870-874 Eighth avenue, n.e. cor. West 52nd street, Borough of Manhattan.

COURT DECISIONS

Matter of Barr (Murdock)—On June 8, 1937, board affirmed decision of Superintendent of Buildings in permitting erection of apartment house in an "F" area district and accepting connections to former private sewer (subsequently taken over by City and connected to Sheepshead Bay public sewer) as compliance with the law, also denied application for revocation of permit, Cal. No. 232-37-A, premises 301-323 Oriental boulevard, Manhattan Beach, Borough of Brooklyn, on the ground that the zoning law does not prohibit erection of apartment house in an "F" area district where the restrictive requirements are complied with and that the sewer connections provided complied with the Multiple Dwelling Law as to street sewer. Mr. Justice Smith sustained the board (N.Y.L.J., Dec. 8, 1938) in its interpretation of the law and also stated "It is neither the right nor the duty of the court to substitute its judgment for that of persons charged with the responsibility for the conduct of public affairs." Decision of board and Special Term unanimously affirmed by the Appellate Division, 2nd Dept., without opinion (N.Y.L.J., July 8, 1939).

In re Antigo Realty Co., Inc. (Murdock et al &c.)—On January 24, 1939, board granted variance to permit parking and storage of more than five (5) motor vehicles, under section 7-h, for period of two years, Cal. No. 803-38-BZ, at premises 3901-3911 White Plains avenue, N.W. cor.

East 222nd street, Borough of The Bronx. Mr. Justice Leary sustained board (N.Y.L.J., July 10, 1939) stating decision was neither arbitrary nor unreasonable nor an abuse of discretion.

People ex rel. Seinfeld vs. Murdock—On December 20, 1938, the board reaffirmed its previous decision of October 26, 1937 (matter having been referred back by Court) and denied store use in part of existing Multiple Dwelling in residence district, under section 21, Cal. No. 345-36-BZ, premises 2095 Grand concourse, Borough of The Bronx. Mr. Justice Leary reversed board on ground that dismissal of certiorari would result in unnecessary hardship (N.Y.L.J., July 10, 1939).

RULES

		Last Publication in Bulletin	
Carbon Dioxide Liquefier Rules	June	20, 1939—Vol. 24, No. 25	
Certificate of Occupancy, approved form	Aug.	23, 1938—Vol. 23, No. 34	
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28	
Concrete Rules (Hydrated Lime).....	Aug.	3, 1937—Vol. 22, No. 31	
Elevator Rules	Mar.	3, 1936—Vol. 21, No. 9	
Exit Rules (Revolving Doors).....	June	15, 1937—Vol. 22, No. 24	
Factory Exit Rules	May	16, 1939—Vol. 24, No. 20	
Fire Alarm Rules (Interior).....	Apr.	25, 1939—Vol. 24, No. 17	
Fire Drill Rules	June	27, 1939—Vol. 24, No. 26	
Fire Retarding Rules for Garages, etc.....	July	11, 1939—Vol. 24, No. 28	
Fireproof Wood, Testing of.....	Apr.	13, 1937—Vol. 22, No. 15	
Frame Garages, Ruling for.....	Jan.	21, 1919—Vol. 4, No. 3	
Fusion Welding and Gas Cutting Rules	Nov.	1, 1938—Vol. 23, No. 44	
Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10, No. 14	
Hatchway Protection	June	5, 1928—Vol. 13, No. 23	
Insulating Fibre Board Rules.....	June	20, 1939—Vol. 24, No. 25	
Oil Burner Rules.....	Jan.	3, 1939—Vol. 24, No. 1	
Paint, Varnish and Lacquer Spray- ing Rules	July	11, 1939—Vol. 24, No. 28	
Platform Trucks, Specifications for....	Nov.	24, 1936—Vol. 21, No. 47	
Plumbing Rules.....	Aug.	3, 1937—Vol. 22, No. 31	
Plumbing Rules (Prevention of Con- tamination of Water Supply).....	June	13, 1939—Vol. 24, No. 24	
Procedure, Rules of.....	Sept.	7, 1937—Vol. 22, No. 36	
Refrigerating Systems, Extract A.C....	July	4, 1939—Vol. 24, No. 27	
Smoking in Factories, Rules for.....	July	4, 1939—Vol. 24, No. 27	
Sprinkler Rules.....	June	29, 1937—Vol. 22, No. 26	
Standpipe Fireline Rules.....	June	8, 1937—Vol. 22, No. 23	
Structural Alterations, Reporting.....	June	7, 1932—Vol. 17, No. 23	
Tank Trucks, Fuel Oil, etc.....	Nov.	24, 1936—Vol. 21, No. 47	
Tank Trucks, Gasoline, etc.....	Nov.	24, 1936—Vol. 21, No. 47	
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr.	10, 1923—Vol. 8, No. 15	

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves.....	Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....	Apr.	25, 1939—Vol. 24, No. 17
Fuel Oil Burners for Domestic and Commercial Use	Jan.	3, 1939—Vol. 24, No. 1
Fuel Oil Fill Pipe Terminals	May	9, 1939—Vol. 24, No. 19
Fuel Oil Burners for Industrial Use	Aug.	30, 1938—Vol. 23, No. 35
Fuel Oil Pumps	Jan.	3, 1939—Vol. 24, No. 1
Gas Heaters	May	9, 1939—Vol. 24, No. 19
Paint, Varnish and Lacquer Spray- ing Equipment	July	11, 1939—Vol. 24, No. 28
Range Oil Burners and Space Heaters.....	Jan.	3, 1939—Vol. 24, No. 1
Vacuum Breakers.....	May	9, 1939—Vol. 24, No. 19

JULY 11, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 11, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 739-38-BZ—Application of Herman Kron, applicant, on behalf of Brooklyn and Queens Transit Corporation, owner (Crown Parking Corporation, lessee), reopened and restored to calendar, March 14, 1939, under section 21 of the

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building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 880-900 Franklin avenue and 41-61 Crown street, northwest corner (Block No. 1189, part of Lot No. 31), Borough of Brooklyn.

CAL. NO. 382-39-BZ—Application, March 28, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Joe Oppenheim, owner, to permit in a business use district, on a plot of ground upon which there is a gasoline service station, the erection of a building to be used as a lubritorium, auto laundry and office; premises 545-549 Albany avenue and 630-640 Maple street, southeast corner (Block No. 4800, Lot No. 9), Borough of Brooklyn.

CAL. NO. 510-39-BZ—Application, April 25, 1939, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Lewine Realty Corporation, owner (Gordon and Ettl, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 5821-5839 Broadway and 251-263 West 238th street, northwest corner (Block No. 3414-B, Lot Nos. 134, 136 and 140), Borough of The Bronx.

CAL. NO. 506-39-BZ—Application, April 21, 1939, under section 7h of the building zone resolution, of Joseph M. Lonergan, applicant, on behalf of Mutual Life Insurance Company, owner (Port Garage Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 46-48 Pine street and 56-60 William street, northeast corner (Block No. 41, Lot No. 22), Borough of Manhattan.

CAL. NO. 418-39-BZ—Application, April 3, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of John Polachek and Broadwalk Building Corporation, owners (Fritz Parking, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 43-06 to 43-32 43rd street, southwest corner of 43rd avenue (Block No. 163, Lot Nos. 25 and 31), Long Island City, Borough of Queens.

CAL. NO. 641-30-BZ—Application of Alfred H. Eccles, applicant, on behalf of Henry and Albert Merkle, owners, reopened January 31, 1939, under section 21 of the building zone resolution, to permit in a business

use district the erection and maintenance of a new accessory building, on a gasoline service station, previously granted by the Board for a temporary period and, also, the extension of this temporary period; premises 207-06 Hillside avenue, south side, 41 ft. east of 207th street (Block No. 10582, Lot No. 3), Queens Village, Borough of Queens.

CAL. NO. 17-38-BZ—Application, January 13, 1938, under section 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harlem Savings Bank, owner (Rosemol Realty Corporation, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 324-328 West 34th street, south side, 325 ft. west of 8th avenue (Block No. 757, Lot Nos. 51 to 53, inclusive), Borough of Manhattan.

CAL. NO. 387-39-BZ—Application, March 27, 1939, under section 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of 126-08 Northern Boulevard Corporation, owner, to permit in a business use district, the inclusion of a gasoline service station in an existing building; premises 126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1), Corona, Borough of Queens.

CAL. NO. 543-26-BZ—Application of Earl R. Fenton, applicant, on behalf of Cities Service Oil Company, owner (John Boyd, lessee), reopened February 21, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district, the alteration and extension of an accessory building and, also, the relocation of pumps on a gasoline service station (previously granted by the board); premises 105-02 Queens boulevard and 69-51 Yellowstone boulevard, southwest corner (Block No. 3236, Lot No. 1), Forest Hills Terrace, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 11, 1939, 2 P. M.

Appeals from Administrative Decisions

405-39-A—960 East 173rd street, southeast corner of Vyse avenue (Block No. 2996, Lot No. 23), Borough of The Bronx.

560-39-A—605 16th street, north side, 174 ft. 7 in. east of Eleventh avenue (Block No. 5259, Lot No. 31), Borough of Brooklyn.

89-39-A—2075 Grand concourse, southwest corner of East 180th street (Block No. 3160, Lot No. 20), Borough of The Bronx (Apt. No. 1-B).

363-39-A—1999 Gleason avenue, north side, 100 ft. west of Pugsley avenue (Block No. 3793, Lot No. 55), Borough of The Bronx.

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736-39-A—101 Boardwalk, the south side of Seaside boulevard, 1000 ft. west of Sand Lane (Block No. 3491, Lot No. 205), South Beach, Borough of Richmond.

730-39-A—45-40 Van Dam street, northeast corner of 47th avenue (Block No. 279, Lot No. 1), Long Island City, Borough of Queens.

772-39-A—126 Beach 85th street, east side, 702.52 ft. south of Rockaway Beach boulevard (Block No. 620, Lot No. 11), Rockaway Beach, Borough of Queens.

781-39-A—746-750 Broadway and 7 Astor place, northeast corner (3rd floor); (Block No. 545, Lot No. 59), Borough of Manhattan.

794-39-A—314 West 49th street, south side, 250 ft. west of Eighth avenue and 319 West 48th street (Block No. 1039, Lot Nos. 17, 43 and 44), Borough of Manhattan.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

791-39-A—37 Adrian avenue, west side, 454.99 ft. north of West 225th street (Block No. 2215, Lot No. 292), Borough of Manhattan.

570-39-A—957 East 172nd street, northwest corner of Vyse avenue (Block No. 2989, Lot No. 50), Borough of The Bronx.

707-39-A—1135 (1133 displayed) 86th street, north side, 278 ft. east of Eleventh avenue (Block No. 6337, Lot No. 61), Borough of Brooklyn.

869-39-A—1560 46th street, east side, 180 ft. north of 16th avenue (Block No. 5436, Lot No. 31), Borough of Brooklyn.

874-39-A—1702-1708 Albemarle road and 163-179 East 17th street, southeast corner (Block No. 5121, Lot Nos. 1, 3 and 5), Borough of Brooklyn.

807-39-A—224-240 Tenth avenue, east side, from West 23rd street to West 24th street, 465 West 23rd street and 470 West 24th street (Block No. 721, Lot No. 1), Borough of Manhattan.

788-39-A—South side of Lafayette avenue, between Alden avenue and Brighton avenue (Block No. 97, Lot No. 1), West New Brighton, Borough of Richmond.

Variations of Labor Law

1156-38-S—661-663 Broadway, east side, 161 ft. 10¼ in. south of Varet street (Block No. 3112, Lot No. 5), Borough of Brooklyn.

718-39-S—33-01 to 33-07 Queens boulevard, northeast corner of 33rd (Rawson) street (Block No. 243, Lot No. 9), Long Island City, Borough of Queens.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July 11, 1939*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 943-38-BZ—Application, October 27, 1938, under section 7h of the building zone resolution, of Frank Nardone, applicant and lessee, on behalf of F. C. A. Corporation and Edbro Realty Corporation,

owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 43-25 43rd street, east side, 150 ft. south of 43rd avenue (Block No. 162, Lot Nos. 9-11 and 17), Long Island City, Borough of Queens.

CAL. NO. 75-39-BZ—Application, January 19, 1939, under section 21 of the building zone resolution, of Sidney L. Strauss, applicant, on behalf of Anna Gurein, owner, to permit in a business use district, the alteration and extension of an accessory building on an existing gasoline service station; premises 38-02 Broadway and 32-01 38th street, southeast corner (Block No. 656, Lot No. 34), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 18, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July 18, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 200-33-BZ—Application of Herman Glicker, applicant and lessee, on behalf of Consolidated Edison Company of New York, Inc., owner, reopened May 23, 1939, under new proposal, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2153-2155 First avenue and 331-337 East 111th street, northwest corner (Block No. 1683, Lot No. 18), Borough of Manhattan.

CAL. NO. 411-39-BZ—Application, March 31, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Violet Bazerman, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

CAL. NO. 833-39-BZ—Application, June 21, 1939, under section 7b of the building zone resolution, of Board of Education, City of New York, applicant and owner, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of a building used as a Public School to a Borough Office of the Board of Education; premises 142-06 37th avenue (Washington street), southeast corner of Union street (Block No. 5011, Lot No. 8), Flushing, Borough of Queens.

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CAL. NO. 502-39-BZ—Application, April 20, 1939, under section 21 of the building zone resolution, of George Alexander, Jr., applicant, on behalf of First Baptist Church, owner, to permit in a residence use and "D" area district, the erection of an extension to an existing building (Church)—said extension not conforming with the area requirements of the building zone resolution; premises 2349 - 2353 East 15th street, east side, 250 ft. north of Avenue X (Block No. 7400, Lot No. 56), Borough of Brooklyn.

CAL. NO. 297-39-BZ—Application, March 8, 1939, under section 21 of the building zone resolution, of Ervin Palmer, applicant, on behalf of Wilson and Company, Inc., owner (H. Chazen, Inc., lessee), to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 842 First avenue and 400 East 47th street, southeast corner (Block No. 1358, part of Lot No. 47), Borough of Manhattan.

CAL. NO. 542-39-BZ—Application, May 1, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Benjamin B. Selvin, owner (Tide Water Associated Oil Company, lessee), to permit in a business use district, the extension of an accessory building on an existing gasoline service station; premises 50-01 to 50-03 Queens boulevard, northeast corner of 50th street (Block No. 1319, Lot No. 1), Woodside, Borough of Queens.

CAL. NO. 432-39-BZ—Application, April 3, 1939, under section 7h of the building zone resolution, of Cornelius Callaghan, applicant, on behalf of Lexington Avenue and 40th Street, Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 96-50 Queens boulevard, south side, 150 feet east of 63rd drive (Block No. 3082, Lot No. 61), Forest Hills, Borough of Queens.

CAL. NO. 302-39-BZ—Application, March 10, 1939, under sections 7b and 7c of the building zone resolution, of Joseph Mitchell, applicant, on behalf of Brooklyn and Queens Transit Corporation, owner (William Reike (United Auto Storage), lessee), to permit partly in an unrestricted use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, the maintenance of a gasoline service station; premises 68-02 Grand avenue, southeast corner of Brown place (Block No. 2776, part of Lot Nos. 1 and 6, parcel A), Maspeth, Borough of Queens.

CAL. NO. 444-39-BZ—Application, April 10, 1939, under section 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Josie Feruglio and Amanda Reiman,

owners (Paul Reiman and Raymond Feruglio, operating as P and R Auto Service, lessees), to permit in a business use district, the extension and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 2781 Coney Island avenue, east side, 230 ft. south of Avenue Y (Block No. 7430, Lot No. 64), Borough of Brooklyn.

CAL. NO. 1047-38-BZ—Application, November 21, 1938, under section 7h of the building zone resolution, of Xelphin V. Dugal, applicant, on behalf of Seth M. Milliken and Gerrish H. Milliken, owners (Xelphin V. Dugal and James Ellswick, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 750-756 St. Nicholas avenue, east side, 490 ft. south of West 150th street (Block No. 2053, Lot No. 44), Borough of Manhattan.

CAL. NO. 354-39-BZ—Application, March 21, 1939, under section 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Direct Realty Company, owner (Peter Woudine, lessee), to permit partly in a residence use district and partly in a business use district, the extension of an existing gasoline service station; premises 3525-3529 White Plains road, west side, 115.44 ft. north of Gunhill road (Block No. 4643, Lot No. 9), Borough of The Bronx.

CAL. NO. 294-39-BZ—Application, March 8, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Alberta Realty Corporation, owner, to permit partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building occupied as a garage for more than five (5) motor vehicles and motor vehicle repair shop, so as to include a gasoline service station; premises 1523-1527 Bedford avenue, east side, 82 ft. $\frac{3}{8}$ in. north of Eastern parkway (Block No. 1260, part of Lot No. 5), Borough of Brooklyn.

CAL. NO. 271-39-BZ—Application, March 3, 1939, under section 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Inc., to permit in a business use district, the extension of an existing gasoline service station; premises 96-23 to 96-29 Queens boulevard, northeast corner of 63rd road (Old Mill road); (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens.

CAL. NO. 512-39-BZ—Application, April 25, 1939, under section 7c of the building zone resolution, of A. & M. Arrington, applicants, on behalf of Winrock Realty Company, owner, to permit partly in a residence use district and partly in a business

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use district, the erection and maintenance of a business building (skating rink and bowling alleys); premises 687-699 Forest avenue, north side, 150 ft. west of Bement avenue (Block No. 168, Lot No. 60), West New Brighton, Borough of Richmond.

Appeal from Administrative Decision

511-39-A—687-699 Forest avenue, north side, 150 ft. west of Bement avenue (Block No. 168, Lot No. 60), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman*.

JULY 18, 1939, 2 P. M.

Appeals from Administrative Decisions

866-39-A—Southwest corner of Spencer place and Spencer place and west side of Spencer place, from 19 ft. to 228 ft. south of Spencer place (Block No. 3423-P, Lot Nos. 64 to 73, inclusive), Borough of The Bronx.

476-39-A—524 East 11th street, south side, 308 ft. east of Avenue A (Block No. 404, Lot No. 16), Borough of Manhattan.

673-39-A—Barge, 1500 ft. off shore, Soundview avenue and Classon Point, Borough of The Bronx.

726-39-A—From 108 North 6th street to 89, 91, 93, 95, 97, 99, 105, 109, 111, 113 and 115 North 6th street (Block No. 2326, Lot Nos. 27 to 34, inclusive, 36 to 40, inclusive), Borough of Brooklyn.

740-39-A—2081-2089 Broadway, northwest corner of West 72nd street (Block No. 1164, Lot No. 26), Borough of Manhattan.

819-39-A—North side of Richmond terrace, 580 ft. west of Bard avenue and opposite Davis avenue

(Block No. 184, Lot No. 26), West New Brighton, Borough of Richmond.

847-39-A—Barge, 1000 ft. off shore, Atlantic Ocean, between the westerly line of Jacob Riis Park, Rockaway Beach and Beach 32nd street, Far Rockaway, Borough of Queens.

850-39-A—142-148 West 21st street, south side, 200 ft. east of Seventh avenue (Block No. 796, Lot No. 63), Borough of Manhattan.

870-39-A—25 East 78th street and 1010 Madison avenue, northwest corner (Block No. 1393, Lot No. 14), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July 18, 1939, at 2 o'clock*, in Room 1013, Municipal Building, Manhattan, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 805-39-BZ—Application, March 23, 1939, under section 21 of the building zone resolution, of Charles B. Meyers, applicant, on behalf of William M. Smith, owner, to permit in a residence use and also "E" area district, the erection and maintenance of a business building (stores)—also, said building does not conform with "E" area requirements; premises 1601-1611 Avenue J and 985-995 East 16th street, northeast corner (Block No. 6709, part of Lot Nos. 47, 49 and 51), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, JULY 5, 1939.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, June 13, 1939, and the minutes of the regular meeting of the board held on Tuesday afternoon, June 13, 1939, were approved as printed in Bulletin No. 25, Vol. 24.

BUILDING ZONE CASES

271-39-BZ.

APPLICANT—A. C. Benson, for Socony-Vacuum Oil Co., Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—96-23 to 96-29 Queens boulevard, northeast corner of 63rd road (Old Mill road); (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Albert C. Benson.

For Opposition: J. S. Abrahamson.

ACTION OF BOARD—Laid over to July 18, 1939 at 10 a.m., on request of applicant; for further time to file revised plans.

294-39-BZ.

APPLICANT—Lama and Proskauer, for Alberta Realty Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building occupied as a garage for more than five (5) motor vehicles and motor vehicle repair shop, so as to include a gasoline service station.

PREMISES AFFECTED—1523-1527 Bedford avenue, east side, 82 ft. $\frac{3}{8}$ in. north of Eastern parkway (Block No. 1260, part of Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Francis J. Principe and Louis F. Carmadelli.

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For Opposition: Herbert O. Burden, Etta M. Dillon, Mrs. E. F. Hartley, G. Byers and G. S. Shean.
ACTION OF BOARD—Laid over to July 18, 1939 at 10 a.m., for further consideration and discussion.

805-39-BZ.

APPLICANT—Charles B. Meyers, for William M. Smith, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district and, also "E" area district, the erection and maintenance of a business building (stores)—also, said building does not conform with "E" area requirements.

PREMISES AFFECTED—1601-1611 Avenue J and 985-995 East 16th street, northeast corner (Block No. 6709, part of Lot Nos. 47, 49 and 51), Borough of Brooklyn.

APPEARANCES—

For Applicant: William M. Chadbourne, William M. Smith, Sigmund Solomon, Errol Hart, Nathan H. Brandt, Charles B. Meyers.

For Opposition: Bernard L. Weynberg, David H. M. Weynberg, Herman J. Strohm, Milton Greenbaum, Francis X. Hanley, John A. Nichols, Isaac Roth, Horace Callahan, Max M. Billings, William C. Winters, Simon Newman.

ACTION OF BOARD—Laid over to July 18, 1939 at 2 p.m., for inspection by committee of the board and decision by board without further argument.

235-31-BZ.

APPLICANT—Edward L. Kelly, for Pearl Palatnick, owner.

SUBJECT—Application reopened November 22, 1938 on order of the Court (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied by the board).

PREMISES AFFECTED—701-705 Utica avenue, east side, 100 ft. south of Clarkson avenue (Block No. 4637, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward L. Kelly.
For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(235-31-BZ)

WHEREAS, Martin J. Ort, for Robert Gladstone, owner, filed May 16, 1931, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises: 701-705 Utica avenue, east side, 100 ft. south of Clarkson avenue (Block No. 4637, Lot No. 41), Borough of Brooklyn; and

WHEREAS, this application was denied by the board September 15, 1931, and present owner, through her attorney, Edward L. Kelly, requested a reopening of the application; and

WHEREAS, this request to reopen was denied by the board January 25, 1938; and

WHEREAS, in a review by the Court the matter was referred back to the board for consideration; and

WHEREAS, the application was reopened by order of the Court November 22, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 5, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Utica avenue is in a business use district; Clarkson avenue is in a business use district; Lenox road is in a residence and business use district and East 50th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, B.N. Appl. No. 18783-37, dated April 26, 1939, reads:

"Proposed gasoline service station to be located in a business use district is contrary to Art. II, Sec. 4, subd. 46 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. and a depth of 100 ft., upon which are located a one story auto laundry, 30 ft. by 60 ft. in area; a one story office and store, 18 ft. by 26 ft. in area and three grease pits. It is proposed to relocate the grease pits and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were the subject of an inspection by a committee of the board, report of which inspection was read at the hearing and which report follows:

REPORT OF COMMITTEE

Cal. No. 235-31-BZ

701-705 Utica Ave., Brooklyn.

July 5, 1939.

The premises involved are located at 701-705 Utica avenue, east side, between Clarkson avenue and Lenox road, with a frontage of sixty feet. The plot is now developed with a one-story garage used for car washing, at the rear, a one-story office and automobile accessory store, and three unenclosed greasing racks. Repairing of motor vehicles is also done, although there is no permit therefor. A permit is outstanding for sale of used cars which appears to be carried on on the lots adjoining to the south, although the permit of the Department of Licenses is for the premises involved in this application. A zoning variance is desired to permit the storage and sale of gasoline for a temporary term of five years. In 1931, a similar application was denied. At that time there was a different owner. The Board found that there was no hardship. The Board's decision was not subjected to court review. The record at that time showed a denial of a gasoline station on the plot at the Northeast corner of Utica and Clarkson avenues (1174-27-BZ) which plot was later developed with a five-story multiple dwelling.

On January 25, 1938, the Board denied a request for rehearing. Meanwhile, in the immediate area, the Board denied a variance for a gasoline station at 758-766 Utica avenue near Lenox road (293-33-BZ) and another at 689-691 Utica avenue, Southeast corner of Clarkson avenue (113-33-BZ) 60 feet north of the premises which are the subject of this application. Because there was a different owner and because a variance for a gasoline station had been granted by the Board for a temporary period of two years at the Northwest corner of Utica avenue and Winthrop street, over 800 feet away, the application was reopened upon order of the court.

The present owner acquired the premises through foreclosure of a second mortgage in 1931, in the amount of \$9500., behind a first mortgage of \$10,000. The statement furnished by the applicant shows that the present tenant pays \$1380. per year, and that after deducting interest on 1st mortgage \$500., taxes \$400. and fire insurance \$45., there remains \$435., or approximately 5% return on the equity represented by the former second mortgage. While insufficient financial

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return cannot be considered as an element of hardship in this case, as the property is being carried by conforming uses and to add a non-conforming use would be for no other purpose than to increase the income. No case of hardship has thus been proved.

The applicant stresses the condition of Utica avenue northerly toward East New York avenue far beyond the immediate area under consideration within a five hundred foot radius. To the south toward Linden boulevard the area is well developed and in the immediate area there has been considerable development since the denial in 1931, particularly at the Northeast corner of Clarkson and Utica avenues, Northwest corner of Clarkson avenue and East 51st street, Southwest corner of Utica Avenue and Lenox road and along East 49th street both sides between Clarkson avenue and Lenox road. In 1931, it was reported that the premises were assessed for \$25,000.—they are now assessed for \$14,000., a material change to the tax advantage of the present owner. There have been no zoning variances granted by the Board in this area as deemed affected by the Board's rules. Outside the area, the only variance granted was for the premises at the corner of Winthrop street more than 800 feet away. On this corner, the applicant agreed to remove a temporary gas station within a two year period if granted. No work was done within the two year period and the Board properly refused to extend the time in view of the representation made by the applicant. That the owner succeeded in inducing the court to substitute its discretion for that of the Board should not now be given any weight in connection with this present application, particularly in view of the distance.

In the opinion of the Committee, the application should be denied as no hardship has been proven to justify the exercise of discretion. Even were there hardship proven, the Committee is of the opinion that discretion should not be exercised further to deteriorate the immediate area already seriously affected by the present uses of this plot and the adjoining lots because of the objectionable signs, illegal uses and general appearance. While the Utica avenue frontage is not built up in this area, the section as a whole cannot be considered so undeveloped within the intent of section 7, subdivision F. It is far different than the area considered by the Court in the Matter of St. Albans vs. the Board.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

and

WHEREAS, the board deemed that it should not exercise its discretion to grant under sections 7-F or 21.

Resolved, that the decision of the borough superintendent of buildings, B.N. Application No. 18783-37, be *affirmed* and the application be and it hereby is *denied*.

424-38-BZ.

APPLICANT—Mark J. Joseph, for Emil Mossbacher, owner (Messinger's Restaurant, Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the maintenance of an extension to a business building.

PREMISES AFFECTED—1763 Southern boulevard, west side, 225 ft. 4 in. south of Crotona Park East and 1753 Boston road (Block No. 2940, Lot No. 47), Borough of The Bronx.

APPEARANCES—

For Applicant: Mark J. Joseph and Max H. Weingarten.

For Opposition: None.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(424-38-BZ)

WHEREAS, Mark J. Joseph, for Emil Mossbacher, owner, filed May 27, 1938, an application under section 21 of the building zone resolution, to permit partly in a business use and partly in a residence use district, the maintenance of an extension to a business building; premises: 1763 Southern boulevard, west side, 225 ft. 4 in. south of Crotona Park East and 1753 Boston road (Block No. 2940, Lot No. 17), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 5, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Southern boulevard is in a business and residence use district; Boston road is in a business use district; Crotona Park East is in a residence and business use district and East 174th street is in a business use district; and

WHEREAS, the decision of the borough superintendent, Application No. 249-1938, dated May 6, 1938, reads:

"1. Extension to present stores into a residence district, is contrary to Article 2, Section 3 of the Amended Building Zone Resolution."

and

WHEREAS, the existing building is non-fireproof, one story in height, with a frontage of 33 ft. 10 in. on Southern boulevard, 33 ft. 5 in. on Boston road and a depth of 119 ft. 11 in. irregular. The building extends for a distance of approximately 19 ft. 11 in. into the residence use district—the remainder is in a business use district. It is proposed to occupy the building as restaurant and stores; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision C of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-C thereof, to permit the extension of the existing business building, as proposed, and as shown on plans filed herein, *on condition* that the building shall not be further extended; that the rear yard shall be paved and substantial fences shall be maintained on all lot lines toward the rear; that no signs shall be erected on the building within the residential use area; that in all other respects the building and its occupancy shall comply with all laws, rules and regulations; that all permits required shall be obtained and all work completed within six months from the date of this resolution.

395-39-BZ.

APPLICANT—Joseph B. Klein, for Queensboro Investing Company, owner (George Katz, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 87-02 Northern boulevard, south side, between 87th street and 88th street

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(Block No. 1435, Lot No. 1), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: George Katz, F. K. Allen and A. J. Eldredge.

For Opposition: Alex Schaffar, Jr., Hyman Muss, Theodore W. Sondelick and George L. Oertel.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(395-39-BZ)

WHEREAS, Joseph B. Klein, for Queensboro Investing Company, owner (George Katz, lessee), filed March 30, 1939, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 87-02 Northern boulevard, south side, from 87th to 88th streets (Block No. 1435, Lot No. 1), Jackson Heights, Borough of Queens, and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 5, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business use district; 87th street and 88th street are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, re Applic. No. 293-39 dated March 29, 1939, reads:

"The use of a lot for the parking and storage of more than (5) five motor vehicles in a business district, is contrary to sec. 4 of the Zone Law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. on Northern boulevard, 100 ft. on 87th street and 100 ft. on 88th street. It is proposed to occupy the plot, for a temporary period of not more than two (2) years, for parking and storage of more than (5) motor vehicles; and

WHEREAS, the site and the surrounding area were the subject of an inspection by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under Section 7, subdivision H for the use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent, re Applic. No. 293-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

Adjourned: 3:00 P.M.

EDWARD V. BARTON, Chief Clerk.

REGULAR MEETING

WEDNESDAY AFTERNOON, JULY 5, 1939

Present: Chairman Murdock, Commissioners Savage and Blum; Assistant Chief Walsh and Deputy Chief McCarthy, alternating.

BUILDING ZONE CASES

75-39-BZ.

APPLICANT — Sidney L. Strauss, for Anna Gurein, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the

building zone resolution, to permit in a business use district, the alteration and extension of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—38-02 Broadway and 32-01 38th street, southeast corner (Block No. 656, Lot No. 34), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to July 11, 1939, at 2 P.M., on written request of applicant.

92-36-BZ.

APPLICANT—Hirsh, Newman, Reass and Becker, for Consolidated Biological Products, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit on a revised area—(decision of the borough superintendent of buildings) re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—109-131 West 50th street, north side and 110-130 West 51st street, south side, 105 ft. west of Sixth avenue (Block No. 1003, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: David J. Brown and Philip Freshman.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

93-37-BZ.

APPLICANT—Abraham H. Brodsky, for Joseph Stoy (lessee), for Havemeyer Marcy Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar, having been previously withdrawn—re Application (decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—259-277 South 5th street, north side, 103 ft. 11 in. east of Havemeyer street (Block No. 2447, Lot Nos. 21, 22, 27 to 35, inclusive, 41 and 15 to 17, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. H. Brodsky.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

302-36-BZ.

APPLICANT — Edgar A. Palmieri, for Anne Nobile, owner.

SUBJECT—Application for consideration—reopening and rehearing under new facts (re decision of the acting borough superintendent of buildings) under section 7g of the building zone resolution, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor

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vehicles (previously denied under section 21 of the building zone resolution).

PREMISES AFFECTED—965-971 65th street, north side, 100 ft. west of Tenth avenue (Block No. 5743, Lot No. 67), Borough of Brooklyn.

APPEARANCES—

For Applicant: E. A. Palmieri.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

THE VOTE TO FIX AREA—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

98-20-BZ.

APPLICANT—M. W. Del Gaudio, for Sterling Associates, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re gasoline storage equipment (decision of the acting borough superintendent of buildings) re Application, previously granted on condition, under section 7e of the building zone resolution, permitting in a business use district, the erection of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—501-505 Sterling place, north side, 300 ft. west of Classon avenue (Block No. 1167, Lot No. 65), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph P. Cosenza.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

THE RESOLUTION—

(98-20-BZ)

WHEREAS, this application, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles affecting premises 501-505 Sterling place, north side, 300 ft. west of Classon avenue (Block No. 1167, Lot No. 65), Borough of Brooklyn, was granted by the board March 2, 1920, on certain conditions, resolution amended March 2, 1937 and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 2, 1920, so that as amended it will read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition*, that the side and rear walls of the proposed structure shall be unpierced throughout their entire height and length and that any skylights in the roof shall not exceed ten feet in width and shall be placed immediately in the centre of its surface; that in the event it is desired to construct an opening in the rear wall of this building for entrance to the existing one-story garage under the same ownership and control, located at the rear, facing Park place (No. 500-510), such opening may be permitted as indicated on plan

marked 'Received February 18, 1937', provided a ramp is constructed to equalize the floor areas and the opening does not exceed 8 ft. in width nor 9 ft. in height and is protected on both sides with approved automatic, self-closing fire doors.

Resolved further, that in the event the owner desires to install an additional gasoline storage tank and pump, as indicated on plans marked 'Received June 26, 1939', such additional installation may be permitted, on condition that such installation meets all the requirements of the Administrative Code and all regulations applicable thereto and that the garage structure and occupancy meets the requirements of all laws, rules and regulations applicable thereto and the requirements of the resolutions of the board adopted March 2, 1920 and March 2, 1937."

328-34-BZ.

APPLICANT—S. Sheldon Meyers, for Max Mirowitz, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence use district, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—1449 Vyse avenue, west side, 100 ft. south of Jennings street (Block No. 2987, Lot No. 33), Borough of The Bronx.

APPEARANCES—

For Applicant: S. Sheldon Meyers.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

THE RESOLUTION—

(328-34-BZ)

WHEREAS, this application affecting premises 1449 Vyse avenue, west side, 100 ft. south of Jennings street (Block No. 2987, Lot No. 33), Borough of The Bronx, was granted by the board October 22, 1935, resolution amended May 5, 1936 and July 7, 1936 and time extended July 9, 1937 and July 20, 1938, and applicant requests a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its amended resolution of October 22, 1935, as amended by resolution of July 7, 1936, only so far as it has reference to obtaining permits and completion of the work; so that as amended it shall read:

"that all permits required shall be obtained and all work involved completed within one year from the date of this amended resolution."

286-37-BZ.

APPLICANT—Edward J. A. Sylvester, for Trinor Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting in a residence use district, the extension of an existing laundry.

PREMISES AFFECTED—428-436 West 54th street, south side, 350 ft. west of Ninth avenue (Block No. 1063, Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time extended.

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THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0
Absent 0

THE RESOLUTION—

(286-37-BZ)

WHEREAS, this application affecting premises 428-436 West 54th street, south side, 350 ft. west of Ninth avenue (Block No. 1063, Lot No. 47), Borough of Manhattan, was granted by the board July 9, 1937, on certain conditions and applicant requests an extension of time to obtain permits and complete work.

Resolved, that the resolution adopted by the board on July 9, 1937 as amended by resolution of May 10, 1938, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completion of the work, so that as amended this portion of the resolution will read:

"that all permits shall be obtained and all work completed within one year from the date of this amended resolution, *on condition* that the resolution adopted on July 9, 1937 shall be complied with in all other respects.

495-37-BZ.

APPLICANT—Lama and Proskauer, for Luchas Garage Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, permitting partly in a business use district and partly in an unrestricted use district, the alteration and conversion of occupancy of part of an existing garage for the storage of more than five (5) motor vehicles to a gasoline service station.

PREMISES AFFECTED — 1410-1418 Newkirk avenue, south side, 70 ft. 3½ in. west of Marlborough road and 604 Marlborough road (Block No. 5235, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD — Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0
Absent 0

THE RESOLUTION—

(495-37-BZ)

WHEREAS, Lama and Proskauer, for Luchas Garage Corporation, owner, filed October 19, 1937, an application under the building zone resolution to permit partly in a business use district and partly in an unrestricted use district the alteration and conversion of occupancy of part of an existing garage for the storage of more than five (5) motor vehicles to a gasoline service station; Premises: 1410-1418 Newkirk avenue, southside, 70 ft. 3½ in. west of Marlborough road and 604 Marlborough road (Block No. 5235, Lot No. 5), Borough of Brooklyn; and

WHEREAS, this application was granted by the board March 29, 1938, on certain conditions, resolution amended July 22, 1938 and applicant requested an extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted March 29, 1938, as amended by resolution adopted July 22, 1938, only so far as it has reference to obtaining permits and completion of the work, so that as amended that portion of the resolution shall read:

"That all permits required shall be obtained and all work involved completed within one year from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS 476-39-A.

APPLICANT—Albert G. Hillberg, for Doreal Realty Corporation, owner.

SUBJECT—Appeal from a decision re an order of the borough superintendent of buildings.

PREMISES AFFECTED—524 East 11th street, south side, 308 ft. east of Avenue A (Block No. 404, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Albert G. Hillberg.

ACTION OF BOARD—Laid over to July 18, 1939, at 2 p.m., on request of appellant.

673-39-A.

APPLICANT—Holy Cross Society, Inc., Giacomo Albanese, President, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge 1500 ft. off shore, Soundview avenue and Classon Point, East River, Borough of The Bronx.

APPEARANCES—

For Applicant: Giacomo Albanese.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to July 18, 1939, at 2 p.m., for further consideration.

696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake.

For Owner: None.

For Administration: Jacob Scharf, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 18, 1939, at 2 p.m., for report of committee and decision by the board, without further argument.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake.

For Owner: Joseph Ferber.

ACTION OF BOARD—Laid over to July 11, 1939, at 2 p.m., on request of attorney for owner.

726-39-A.

APPLICANT—Williamsburg Refrigerating Co., Inc., for Geller and Frank, Whitfield Vancott, Walter Pettit and John Lackner, owners and lessees; J. Willan Real Estate Co., Inc. (Greenpoint Beef Co., lessee), Monel Realty Corp. (Otto Morell, lessee) and Anna Hahn (Northwestern Packing Co., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

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PREMISES AFFECTED—From 108 North 6th street to 89, 91, 93, 95, 97, 99, 105, 109, 111, 113 and 115 North 6th street, north side, beginning at the corner of Berry street and running 297 ft. westerly along the north side of North 6th street (Block No. 2326, Lot Nos. 27 to 34, inclusive, and 36 to 40, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Greenberg.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to July 18, 1939, at 2 p.m., for further consideration.

730-39-A.

APPLICANT—Gramercy Truck Exchange, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—45-40 Van Dam street, northeast corner of 47th avenue (Block No. 279, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Irving Ax and Harry Abrams.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to July 11, 1939, at 2 p.m., to obtain report from fire department.

740-39-A.

APPLICANT—Walgreen Company N. Y., Inc., lessee (Jaurale Corporation, owner).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—2081-2089 Broadway and 201 West 72nd street, northwest corner (Block No. 1164, Lot No. 26), Borough of Manhattan.

APPEARANCES—

For Applicant: John Molldt.

ACTION OF BOARD—Laid over to July 18, 1939, at 2 p.m., on request of appellant's representative.

772-39-A.

APPLICANT—Misam Realty Corporation, for Green-Norman Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—126 Beach 85th street, east side, 702.52 ft. south of Rockaway Beach boulevard (Block No. 620, Lot No. 11), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Meyer D. Siegel.

ACTION OF BOARD—Laid over to July 11, 1939, at 2 p.m., on request of appellant's representative.

781-39-A.

APPLICANT—Julius G. Cohn, for Cleaners and Dyers Union, Local No. 239, lessee, for Trustees of the Sailors' Snug Harbor, owner.

SUBJECT—Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—746-750 Broadway and 7 Astor place, northeast corner (3rd floor) (Block No. 545, Lot No. 59), Borough of Manhattan.

APPEARANCES—

For Applicant: Max J. Merbaum.

For Administration: Jacob Scharf, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 11, 1939, at 2 p.m., on request of applicant's representative.

794-39-A.

APPLICANT—Mayers, Murray and Phillip, for Seamen's Bank for Savings in the City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—314 West 49th street, south side, 250 ft. west of Eighth avenue, and 319 West 48th street (Block No. 1039, Lot Nos. 43, 44 and 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Hardie Phillip and Julius Eckman.

For Administration: Jacob Scharf, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 11, 1939, at 2 p.m., for further consideration.

819-39-A.

APPLICANT—James H. Lytle, for Staten Island Edison Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—North side of Richmond terrace, 580 ft. west of Bard avenue and opposite Davis avenue (Block No. 184, Lot No. 26), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: James H. Lytle.

For Administration: A. B. Comins, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 18, 1939, at 2 p.m., for further information from applicant and further consideration by board.

847-39-A.

APPLICANT—Leonard E. Golditch, for Comet Aerial Advertising Company, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge 1000 ft. off shore, waters of Atlantic Ocean surrounding Rockaway and Far Rockaway, between Jacob Riis Park and Beach 32nd street, Borough of Queens.

APPEARANCES—

For Applicant: Leonard E. Golditch.

For Opposition: Harold Klorfein, Department of Parks.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to July 18, 1939, at 2 p.m., for further consideration.

850-39-A.

APPLICANT—Michael Marks, lessee, for Jadlamm Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—142-148 West 21st street, south side, 200 ft. east of Seventh avenue (Block No. 796, Lot No. 63), Borough of Manhattan.

APPEARANCES—

For Applicant: William J. H. Molinari and Michael Marks.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to July 18, 1939, at 2 p.m., for inspection by a committee of the board.

870-39-A.

APPLICANT—Louise Krueger, lessee, for Nochpeem Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—25 East 78th street and 1010 Madison avenue, northwest corner (Block No. 1393, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Louise Krueger and Louis I. Becker.

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For Administration: Jacob Scharf, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to July 18, 1939, at 2 p.m., pending an inspection by a committee of the board.

770-39-A.

APPLICANT—George G. Miller, for Marksol Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—West side of Castle Hill avenue, 299.51 ft. north of Westchester avenue (Block No. 3935, Lot No. 64), Borough of The Bronx.

APPEARANCES—

For Applicant: George G. Miller.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

848-39-A.

APPLICANT—Charles W. Ferry, attorney for Receiver, Fahys Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—35-39 West 33rd street, north side, 277 ft. 3 in. east of Broadway (Block No. 835, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

THE RESOLUTION—

(848-39-A)

WHEREAS, Charles W. Ferry, attorney for Receiver, Fahys Realty Corporation, owner, filed June 23, 1939, an appeal from an order and decision of the fire commissioner, affecting premises: 35-39 West 33rd street, north side, 277 ft. 3 in. east of Broadway (Block No. 835, Lot No. 15), Borough of Manhattan; and

WHEREAS, neither the applicant nor his representative was present when this case was called.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

855-39-A.

APPLICANT—12-13 Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—717-723 East 12th street, north side, 443 ft. west of Avenue D and 716-722 East 13th street (Block No. 382, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant—None.

For Administration—Jacob Scharf, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
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Negative	0
Absent	0

THE RESOLUTION—

(855-39-A)

WHEREAS, The 12-13 Holding Corporation, owner, filed June 26, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 717-723 East 12th street, north side, 443 ft. west of Avenue D and 716-722 East 13th street (Block No. 382, Lot No. 22), Borough of Manhattan; and

WHEREAS, neither the applicant nor its representative was present when this case was called.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

474-39-A.

APPLICANT — Max A. Gulack, for Marie Ramundo, owner.

SUBJECT—Appeal from orders of the borough superintendent of buildings.

PREMISES AFFECTED—1711 Taylor avenue, west side, 95.01 ft. north of Van Nest avenue (Block No. 4020, Lot No. 26), Borough of The Bronx.

APPEARANCES—

For Applicant: Max A. Gulack.

For Administration: M. Harris, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(474-39-A)

WHEREAS, Max A. Gulack, for Marie Ramundo, owner, filed April 14, 1939, an appeal from orders of the borough superintendent of buildings affecting premises 1711 Taylor avenue, west side, 95.01 ft. north of Van Nest avenue (Block No. 4020, Lot No. 26), Borough of The Bronx; and

WHEREAS, the order of the borough superintendent of buildings, dated March 15, 1939, Violation No. 66-39 reads:

"You will please take notice that there exists a violation of Section 2.1.3.5 Building Code of the C-26.185.0 Administrative Code at the premises hereinafter described in changing the occupancy of the building from a 2 family dwelling to a three family Class "A" multiple dwelling, contrary to law, without obtaining a certificate of occupancy.

Remedy: You are hereby directed to restore building to original occupancy."

and

WHEREAS, violation order 67-39 issued by the borough superintendent March 15, 1939, reads:

"You will please take notice that there exists a violation of Section 2.1.2.1 of the Building Code, C-26-174.0 Administrative Code at the premises hereinafter described, in that the erection of partitions on 2nd floor without having plans and applications approved by this Department; previous plans and applications having been revoked by this Department."

and

WHEREAS, the building is two stories (22 ft.) in height 21 ft. 6 in. by 52 ft. in area of frame construction, erected in 1903, located in a residence use district, and occupied: cellar, boiler room, 1st floor, 1 apartment; 2nd floor, 2 apartments, Class A, Multiple dwelling; and

WHEREAS, the applicant contends that the work involved does not include the extension of the existing building, but only the alteration of the upper floor to the extent that the six room apartment equipped with one kitchen and one kitchenette and occupied by 2 families was altered by add-

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ing another bath and erecting partitions for the greater convenience of the two families; that the work involved was completed at an expense in excess of \$2,000, subsequent to the approval of the plans by the department of housing and buildings under Application 963-37; that upon the completion of the work the department refused to issue a certificate of occupancy and served the orders herein appealed; that the reason for refusal of the issuance of the certificate of occupancy is that the department did not believe the affidavit submitted on behalf of the owner as to prior occupancy; that such action should have been taken prior to the approval of the alteration plans and completion of work; that the owner in making the alterations and renting the floor out to 2 families upon completion of the alteration, acted within the law and the department should not be allowed to declare illegal, that which it had sanctioned, especially when the owner had to spend a substantial sum of money in reliance upon the department's approval; and

WHEREAS, the Board deemed that neither the superintendent of buildings nor this Board had any jurisdiction to vary the Multiple Dwelling Law and that the alteration is not permissible, so as to increase the number of families under section 56 of the Multiple Dwelling Law.

Resolved, that the orders of the borough superintendent, Nos. 66-39 and 67-39, be and they hereby are *affirmed* and that the appeal be and it hereby is *denied*.

493-39-A.

APPLICANT—Charles J. Stidolph, for William Franculla, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—69-15 Grand avenue, north side, 84.73 ft. east of 69th avenue (Block No. 2500, Lot No. 60), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: William Franculla.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(493-39-A)

WHEREAS, Charles J. Stidolph, for William Franculla, owner, filed April 19, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 69-15 Grand avenue, north side, 84.73 ft. east of 69th street (Block No. 2500, Lot No. 60), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Alteration Application 68-39, dated March 21, 1939, reads:

"5. Stairway on 2nd floor not shown properly enclosed with fire retarded partitions."

and

WHEREAS, the building is three stories (35 ft.) in height, 20 ft. by 74 ft. in area, of non-fireproof construction, erected in 1925 and occupied: Cellar, storage; first floor, store; 2nd floor, beauty parlor and dwelling; 3rd floor, dwelling, one family; and

WHEREAS, the applicant contends that the stairs in question are 4 ft. wide; that the partitions surrounding stairs are plastered and in good condition; that the front portion of the second floor has been used for business since the time the building was erected and it would be a great hardship upon the owner to be compelled to comply with the order.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 68-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Ob-

jection No. 5, on condition that the primary means of exit shall be of the construction as described and that in addition there shall be a second means of exit from the second story which may be by means of a rear window to the one story extension and thence by a fixed steel ladder to grade with free means of exit to the public street; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto and granted only so long as the occupancy as proposed, continues.

524-39-A.

APPLICANT—Samuel Lippman, for Manhattan Opera House Ballroom and Banquet Hall, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—311-315 West 34th street, north side, 175 ft. west of Eighth avenue and 316 West 35th street (Block No. 758, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Lippman.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock	1
Negative: Commissioners Savage and Blum and Assistant Chief Walsh	3
Absent	0

THE RESOLUTION—

(524-39-A)

WHEREAS, Samuel Lippman, for Manhattan Opera House Ballroom and Banquet Hall, Inc., owner, filed on April 25, 1939, an appeal from an order and decision of the fire commissioner, affecting premises 311-315 West 34th street, north side, 175 ft. west of Eighth avenue, and 316 West 35th street (Block No. 758, Lot No. 28), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated January 16, 1939, re Order No. 15515-LC, reads:

"5. Remove direct expansion refrigerating piping located outside of refrigerating room."

and

WHEREAS, this order was referred to in a decision of the fire commissioner dated April 21, 1939; and

WHEREAS, the existing building is of fireproof construction, 9 stories (120 ft.) in height, 125 ft. by 197 ft. 6 in. in area; erected in 1907 and occupied for its present use since May 16, 1924; it is located in a retail use district; equipped with a standpipe system; and occupied: Cellar, heating plant, store and checkroom, toilet; 1st floor, lobby and ballroom; 2nd floor cocktail lounge, barroom, 1st balcony; 3rd floor, 2nd balcony and office; 4th and 5th floors, meeting rooms; 6th floor, meeting rooms, checkroom on 6th floor mezzanine; 7th floor, ballroom; 8th floor, balcony to ballroom and ladies' lounge, kitchen and employee's toilet. Certificate of Occupancy No. 8086-1924 was issued May 16, 1924; and

WHEREAS, the applicant contends that the refrigerating coils, which are the subject of the order, are necessary for the operation of the cooler keg system for dispensing beer and of necessity must be adjacent to the kegs; that the method of cooling is by circulating ice water through the coils encased in the kegs; that the ice water tank must of necessity be placed under the bar for efficient operation; that the refrigerating unit consists of a $\frac{3}{4}$ h.p. frigidaire compressor located in a separate room and connected to the ice water tank under the bar by means of copper tubes encased in a metal duct buried in the concrete floor; that the refrigerant used is freon; that the room in which the bar is located is equipped with a 6,000 cu. ft. per minute exhaust fan; that the auditorium is equipped with a 40,000 cu. ft. per minute ventilating system; and

WHEREAS, these premises were the subject of an inspec-

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tion by the committee of the board and the committee recommended that the cabinet containing the refrigerator coil now located on the bar should be moved and installed in the refrigerator room, so that the entire refrigerating system shall comply with the requirements of the Code of Ordinances.

Resolved, that Order No. 15515-LC, item 5, issued by the fire commissioner, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

679-39-A.

APPLICANT—Ansonia Fire Prevention Company, for Clare S. Peck, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—371 Broadway, west side, 75 ft. 3 in. north of Franklin street (Block No. 175, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: George D'Andrea.

For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(679-39-A)

WHEREAS, Ansonia Fire Prevention Company, for Clare S. Peck, owner, filed May 23, 1939, an appeal from an order and decision of the fire commissioner, affecting premises 371 Broadway, west side, 75 ft. 3 in. north of Franklin street (Block No. 175, Lot No. 31), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 3200-LF, dated November 28, 1938, reads:

"You are Hereby Ordered and Required, within 30 days from the date of the service of this order to:

1. Provide an automatic thermostatic system connection to the central office of one of the operating companies in conjunction with dry sprinkler system (non-automatic) in basement and sub-basement of the above premises, Art. 16, Ch. 26, Adm. Code."

and

WHEREAS, the above order is referred to in a decision of the fire commissioner dated April 24, 1939; and

WHEREAS, the building is of non-fireproof construction, 5 stories (79 ft.) in height; 24 ft. 11 in. by 150 ft. 3 in. in area; erected prior to 1895; located in an unrestricted use district; and occupied: Sub-cellar and cellar—stockroom of curtain goods, 0 persons; 1st floor—salesroom and showroom, 9 persons; 2nd floor—mfg. pillow cases, 10 persons; 3rd floor—commercial artist, 5 persons; 4th floor, mfg. bedsheets and pillow cases, 18 persons; 5th floor—stock and salesroom of cork, 2 persons; and

WHEREAS, the applicant contends that the building is small in area and light in occupancy and the cellar and sub-cellar are used for the storage of cotton goods packed in cartons; both of these floors are equipped with non-automatic sprinkler system with two siamese connections; that in view of the light occupancy and the existence of the sprinkler system, it would be a hardship to be compelled to comply with the order.

Resolved, that the order of the fire commissioner, No. 3200-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the non-automatic sprinkler system shall be maintained in the cellar and sub-cellar, meeting the requirements for existing installations, except that the thermostatic alarm connection to central office need not be installed and that the system shall be maintained at all times to the satisfaction of the fire commissioner.

680-39-A.

APPLICANT—Ansonia Fire Prevention Company, for Freemont C. Peck, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—372 Broadway, east side, 100 ft. north of Franklin street (Block No. 172, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: George D'Andrea.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(680-39-A)

WHEREAS, Ansonia Fire Prevention Company, for Freemont C. Peck, owner, filed May 23, 1939, an appeal from an order and decision of the Fire Commissioner, affecting premises: 372 Broadway, east side, 100 ft. north of Franklin street (Block No. 172, Lot No. 5), Borough of Manhattan; and

WHEREAS, Order No. 2523-LF issued by the Fire Commissioner October 4, 1938, reads:

"You are Hereby Ordered and Required, within 30 days from the date of the service of this order to:

1. Provide an automatic thermostatic system connected to the central office of one of the operating companies in conjunction with dry sprinkler system (non-automatic) in basement and sub-basement of the above premises. Art. 16, Ch. 26, Adm. Code."

and

WHEREAS, this order was referred to in a decision of the fire commissioner, dated April 24, 1939; and

WHEREAS, the building is non-fireproof, 5 stories (68 ft.) in height, 25 ft. by 150 ft. 3 in. in area; erected prior to 1885 located in an unrestricted use district and occupied: sub-cellar—stockroom of interior parts of metal safes, 0 persons; cellar—repairing safes, 5 persons; 1st floor, sales and showroom of safes, 12 persons; 2nd to 5th floors, inclusive—vacant; and

WHEREAS, the applicant contends the area of the building is small and the occupancy light; the sub-cellar, cellar and first floor are used by one tenant and both cellar and sub-cellar are equipped with non-automatic sprinkler system equipped with siamese on the Broadway front; that the occupancy is non-hazardous; that it would be a hardship to be compelled to install a thermostatic alarm.

Resolved, that the order of the fire commissioner, No. 2523-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the non-automatic sprinkler system shall be maintained in the cellar and sub-cellar, meeting the requirements for existing installations, except that the thermostatic alarm connection to central office need not be installed and that the system shall be maintained at all times to the satisfaction of the fire commissioner.

693-39-A.

APPLICANT—Pennsylvania-Dixie Cement Corporation, for Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—East side of Parsons boulevard between Goethals avenue and 82nd drive (Block No. 6858, Lot No. 3); (Triboro Hospital), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0
Absent 0

THE RESOLUTION—

(693-39-A)

WHEREAS, Pennsylvania-Dixie Cement Corporation, for Department of Public Works, City of New York, owner, filed on May 24, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises East side of Parsons boulevard, between Goethals avenue and 82nd drive (Block No. 6858, Lot No. 3); (Triboro Hospital for Tuberculosis Patients), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on amendment to N.B. Applic. 3728-38, dated May 31, 1939, reads:

"Secure approval of Penn-Dixie Cement as an approved Portland cement, in accordance with Sec. 2.2.3. (Sec. C.26-191.0)."

and

WHEREAS, the building will be 12 stories (166 ft.) in height, 436 ft. by 209 ft. in area; of Class 1 construction; located in business and residence use districts; occupied throughout as a public hospital; and

WHEREAS, the applicant has submitted evidence that Penn-Dixie Portland cement meets the requirements of A.S.T.M. specifications C 9-38; and

WHEREAS, the applicant contends that an application (Cal. No. 676-39-SM) for general approval for the use of Penn-Dixie Portland cement is now pending before the Board of Standards and Appeals and permission is respectfully requested for the use of Penn-Dixie Portland cement on the building in question without the necessity of waiting for the determination of tests and general approval by the board.

Resolved, that the decision of the borough superintendent of buildings, acting on N.B. Application 3728-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the use of Penn-Dixie Portland cement as an approved Portland cement for use on this specific building only.

706-39-A.

APPLICANT—M. A. Gordon, for Leo Siev, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—721 Avenue O, northwest corner of East 8th street (Block No. 6589, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. A. Gordon.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(706-39-A)

WHEREAS, M. A. Gordon, for Leo Siev, owner, filed May 29, 1939 an appeal from a decision of the acting borough superintendent of buildings affecting premises 721 Avenue O, northwest corner of East 8th street (Block No. 6589, Lot No. 50), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, re application No. 1893-1939, dated May 22, 1939, reads:

"Proposed change in occupancy of frame building

from one to two families with living rooms on more than two stories is contrary to Sec. 2.1.3.5 and Sec. 8.7.2.1 of the Building Code. Therefore application is denied."

and

WHEREAS, the building is frame, cellar and 2½ stories (31½ ft.) in height, 22 ft. 6 in. by 38 ft. in area at first story and 22 ft. 6 in. by 32 ft. in area above, occupied as one family dwelling, located in a residence use district, erected about 1900; it is proposed to change the occupancy to one family first floor and one family second and attic stories, making two families in all; and

WHEREAS, the applicant contends that it is impossible to obtain any revenue from this building as a one family dwelling, as a result of which it has been vacant and boarded up for some time; that it would be a hardship on the owner not to be permitted to place the building on a sound tax-paying basis as proposed.

Resolved, that the decision of the borough superintendent, on Applic. No. 1893-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the occupancy of the building for not over two families, one occupying the 1st floor and one the 2nd floor and attic, on condition that the building shall not be increased in height or area and that the plot shall not be reduced in area; that an agreement shall be signed by the owner and filed with the borough superintendent of buildings to the effect that at no time will the building be occupied by more than two families; that no cooking shall be done in the attic story; that a second means of exit shall be installed from the attic story, which may consist of an exterior fire-escape or steel ladder reaching from the attic story to a porch roof or to a balcony, thence by means of a counter-balanced or drop ladder to grade; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

729-39-A.

APPLICANT—Ferdinand Savignano, for East River Savings Bank, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—72-78 St. Edwards street and 2 Sycamore street, southwest corner (Block No. 2038, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Julian Arcalde.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(729-39-A)

WHEREAS, Ferdinand Savignano, for East River Savings Bank, owner, filed June 3, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 72-78 St. Edwards street and 2 Sycamore street, southwest corner (Block No. 2038, Lot No. 5), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent re Permit No. 13415-38, dated May 25, 1939, reads:

"Fire retard cellar ceiling. Proposition to omit same is contrary to Sec. 10.11, Building Code, and is therefore denied."

WHEREAS, the building is six stories (75 ft.) in height, 98 ft. 8 in. by 129 ft. in area; of Class 6 construction; erected in 1905; located in a business use district; equipped with a sprinkler system; and occupied; cellar, storage and

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boiler room; 1st to 6th floors inclusive, factory, maximum occupancy, 165 persons per floor; and

WHEREAS, the applicant contends the building is of heavy timber construction and has been used as at present since erection; that application 13415-38 was filed for the purpose of removing violations and securing a certificate of occupancy; that section 10.11 of the building code does not apply to class 6, heavy timber construction; that it will be a hardship to comply with the decision as it would require removal and replacement of the sprinkler system.

Resolved, that the decision of the acting borough superintendent, on application for permit No. 13415-38, be and it hereby is *modified*, and that the appeal be and it hereby is granted, so as to omit the requirement for fire-retarding the cellar ceiling, *on condition* that in all other respects the building shall comply with all laws, rules and regulations applicable to construction of the building and to occupancy; that all other requirements and existing violations shall be complied with; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner and granted only so long as the occupancy as proposed, continues.

732-39-A.

APPLICANT—Simon B. Zelnik, for Sanline Realty Corporation, owner (F. W. Woolworth Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—37-11 to 37-19 82nd street, east side, 100 ft. south of Polk avenue (Block No. 1570, Lot No. 59), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Simon B. Zelnik.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(732-39-A)

WHEREAS, Simon B. Zelnik, for Sanline Realty Corporation, owner (F. W. Woolworth Co., lessee), filed on June 3, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 37-11 to 37-19 82nd street, east side, 100 ft. south of Polk avenue (Block No. 1570, Lot No. 59), Jackson Heights, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, re B.N. Applic. No. 104-39, dated June 2, 1939, reads:

"1. Exits are not remote for the proposed number of occupants as required under section 6.1.2.4, subdivision 4 of the Building Code."

and

WHEREAS, the building is of non-fireproof, Class 3, construction; 2 stories (31 ft. 6 in.) in height, 63 ft. 9 in. by 97 ft. 4 in. in area on 1st floor, 63 ft. 9 in. by 69 ft. 10½ in. in area, above; located in a business use district; erected in January, 1939, and occupied: Cellar—storage and boiler room, 10 persons; 1st floor—store, 50 persons present occupancy—proposed 750 persons; 2nd floor—offices, 35 persons; and

WHEREAS, the applicant contends that the area of the store is 5,920 sq. ft. and has four exits, one of which is 3 ft. 8 in. wide in the clear and leads to a public hall and then to the street and three of which have two 2 ft. 6 in. double-acting doors leading to an open vestibule and thence to the street; three of these exits are good for 250 persons each and one is good for 100 persons; the total allowable occupancy therefor should be 850 persons, or if computed under section 6.2.1, 1550 persons could be permitted; that

in view of these facts a modification is requested so as to permit the occupancy proposed; and

WHEREAS, in the opinion of the board, the exits are not sufficiently remote.

Resolved, that the decision of the borough superintendent, on B.N. Applic. No. 104-39, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

747-39-A.

APPLICANT—Arthur F. Winter, for F. W. Woolworth Company, lessee (859-861 Utica Avenue Realty Corporation, owner).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—859-861 Utica avenue, east side, 100 ft. 27⅞ in. north of Lincoln place (Block No. 1385, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(747-39-A)

WHEREAS, Arthur F. Winter, for F. W. Woolworth Company, lessee (859-861 Utica Avenue Realty Corporation, owner), filed June 7, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 859-861 Utica avenue, east side, 100 ft. 27⅞ in. north of Lincoln place (Block No. 1385, Lot No. 6), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 2465-LF, dated March 23, 1939, reads:

"You are hereby ordered and required, within 30 days from the date of the service of this order, to:

1. Provide a separate and distinct system of Automatic Sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, the above order was referred to in a decision of the fire commissioner, dated May 10, 1939; and

WHEREAS, the building is one story and pent house (23 ft.) in height, 40 ft. by 100 ft. in area, of non-fireproof construction, erected in 1932, located in a business use district and occupied: cellar—storage—one person; 1st floor—sales—24 persons; pent house—office—1 person, for which certificate of occupancy No. 70894 was issued on May 15, 1933, permitting the use of the cellar as a stock room—1 person; 1st floor—sales room—100 persons, pent house—toilets, rest room and coat room—3 persons; and

WHEREAS, the applicant contends that the merchandise carried in the basement is common to this type of occupancy; that the amount of celluloid stored is approximately .7 of 1% of the entire stock; that all aisles are 3 ft. wide; that the basement ceiling is fire-retarded; that all basement partitions are fireproof and that the building is provided with adequate exits.

Resolved, that the order of the fire commissioner, No. 2465-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25% in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ inch drain and with heads pendant; that there shall be a

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single hose inlet of approved type on the exterior of the building at least 10 inches above the sidewalk; that the cap of this hose inlet and sign stating area covered shall be painted aluminum; that sprinkler heads installed in the kitchen, unpacking space and waste paper room may be connected with the domestic water supply line of the building; that the sprinkler heads may be cross-connected in the non-automatic pipe, provided a check valve is installed at the domestic supply and a check valve at the base of the pumper inlet connected into the wet and dry system, so all sprinkler heads will be supplied by the pumper connection.

759-39-A.

APPLICANT—Robert F. Schirmer, for Mrs. A. S. G. Fitter, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—85-09 94th street, east side, 80.08 ft. north of 85th road (Block No. 8888, Lot No. 47), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: John H. Croggman and Robert F. Schirmer.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(759-39-A)

WHEREAS, Robert F. Schirmer, for Mrs. A. S. G. Fitter, owner, filed June 8, 1939, an appeal from a decision of the Borough Superintendent of buildings, affecting premises 85-09 94th street, east side, 80.08 ft. north of 85th road (Block No. 8888, Lot No. 47), Woodhaven, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, re Alt. App. No. 1289-39, dated June 5, 1939, reads:

"1. Proposed use of more than two stories for living quarters in two family residence frame buildings is contrary to Sec. 8.7.2.1. B.C.

Plans and application not further considered."

and

WHEREAS, the building is of frame construction; two stories (30 ft.) in height, 22 ft. by 47 ft. at 1st story, 22 ft. by 39 ft. above; located in a residence use district; erected about 1910 and occupied: cellar—heating plant; 1st, 2nd and 3rd floors, one family dwelling, 4 persons; it is proposed to change the occupancy as follows: 1st story—apartment, 2 persons; 2nd floor, apartment, 2 persons; 3rd (attic) floor, two rooms to be occupied in connection with 1st floor apartment as sleeping rooms only, 2 persons; and

WHEREAS, the applicant contends that a bathroom will be installed on the 1st floor and on the 2nd floor the existing bathroom will be changed to a kitchen; that the owner is willing to provide a fire escape as a second means of egress from the attic and respectfully requests a modification.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 1289-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the building to be occupied for not over two families, *on condition* that an agreement shall be signed by the owner and filed with the borough superintendent of buildings to the effect that at no time will the building be occupied by more than two families, one occupying the 1st floor and attic and one family on the 2nd floor; that no cooking shall be done in the attic story; that the building shall not be increased in height or area; that the lot will

not be reduced; that an exit shall be provided from the attic story, which may be an exterior fire-escape or ladder reaching to the roof of the second story addition and thence by means of a drop ladder or counter-balanced ladder to grade; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

765-39-A.

APPLICANT—John C. Wandell, for Seymour Alper, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—39-17 to 39-21 21st street (Van Alst avenue), east side, 150.14 ft. south of 39th avenue (Block No. 392, Lot No. 10), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John C. Wandell.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(765-39-A)

WHEREAS, John C. Wandell, for Seymour Alper, owner, filed June 9, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 39-17 to 39-21 21st street (Van Alst avenue) east side, 150.14 ft. south of 39th avenue (Block No. 392, Lot No. 10), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. 1117-39, dated May 23, 1939, reads:

"1. Premises as enlarged is required to be of fire-proof construction. Area of enlarged structure exceeds the area for a class 3 building, facing on one street."

and

WHEREAS, the building is of Class 2 construction; 1 story, 13 ft. and 39 ft. 9 in. in height; 125.34 ft. by 146 ft. 10 in. average, in area; located in an unrestricted use district; erected in 1921; occupied as a garage and factory, and for storage of steel shapes, 3 persons; for which Certificate of Occupancy, No. 3026 was issued February 17, 1922 for "factory and garage"; and

WHEREAS, it is proposed to erect a one story extension 64 ft. by 164 ft. in area, to be used for the storage of steel beams, plates, bars and shapes and steel supplies; that the building will be supported on concrete foundations resting on 10 in. diameter steel shell concrete filled piles; that enclosure walls will be of brick; that the roof will be of steel trusses with steel perlins supporting corrugated asbestos sheet roofing; that the bottom chords of trusses will be 32 ft. 2 in. above the floor; that the average height of roof will be 39 ft. 9 in.; that a rear yard, 10 ft. wide will be provided at the lot line at the 23 ft. level.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 1117-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall be constructed substantially as indicated and for the use as proposed; that in all other respects the building shall comply with the requirements of the Zone Resolution and all laws, rules and regulations applicable to its construction and use; and that this modification shall continue only so long as the building is occupied for the use as stated herein.

778-39-A.

APPLICANT—Saul Goldsmith, for Oak-Cal Realty Co., Inc., owner.

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SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—130-142 Green street, south side, 263 ft. 7½ in. west of Manhattan avenue (Block No. 2522, Lot Nos. 22, 24 and 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(778-39-A)

WHEREAS, Saul Goldsmith, for Oak-Cal Realty Co., Inc., owner, filed June 12, 1939, an appeal from a decision of the acting borough superintendent of buildings affecting premises 130-142 Green street, south side, 263 ft. 7½ in. west of Manhattan avenue (Block No. 2522, Lot Nos. 22, 24 and 29), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent on N.B. Application 499-39, dated June 5, 1939, reads:

"3. Building exceeds the area permitted for non-fireproof structures."

and

WHEREAS, the building is one story (22 ft.) in height, 146 ft. 4½ in. by 100 ft. in area of non-fireproof construction located in an unrestricted use district and occupied for the storage of steel, 5 persons; and

WHEREAS, the applicant contends that the building will be used for the storage of iron and steel only and will at no time be occupied by more than 5 persons.

Resolved, the the decision of the acting borough superintendent, on N.B. Applic. No. 499-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 3 *on condition* that the building shall be constructed substantially as indicated and for the use as proposed; that this modification shall continue only so long as the building is used as proposed and meets in all other respects, the requirements of such rules and regulations applicable to the construction and occupancy, including the requirements of the Zone Resolution.

779-39-A.

APPLICANT—Paul Trapani, for Jack Vitulli, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—84-45 90th street, northeast corner of 85th road (Block No. 32, Lot No. 30), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Paul Trapani.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(779-39-A)

WHEREAS, Paul Trapani, for Jack Vitulli, owner, filed June 12, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 84-45 90th street, northeast corner 85th road (Block No. 32, Lot No. 30), Woodhaven, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Alt. Application 9294-39, dated June 9, 1939, reads:

"The use of more than 2 stories in a frame building for living purposes when said building is to be occupied by two families is contrary to section (8.7.2.1) C26-536 of the Building Code (not further considered)";

and

WHEREAS, the building is 2½ stories (25 ft.) in height, 25 ft. by 42 ft. in area, of frame construction, erected in 1907, located in a residence use district, and occupied as a one family dwelling; it is proposed to change the occupancy to: Cellar, boiler room, storage; first floor, dwelling, 1 family; 2nd and 3rd (attic) floor, dwelling, 1 family—total, 2 families throughout.

Resolved, that the decision of the borough superintendent on Alt. Applic. 9294-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the building to be occupied by not more than two families, *on condition* that an agreement shall be signed by the owner and filed with the borough superintendent to the effect that at no time shall the building be occupied by more than two families, one on the 1st floor and one family occupying the second floor and attic; that there shall be no cooking in the attic; that the building shall not be increased in height or area; that the size of the lot shall not be reduced; that the second means of exit from the attic shall be by means of an exterior fire escape or ladder extending to the extension roof or balcony and thence by means of a counterbalanced or drop ladder to grade; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

780-39-A.

APPLICANT—Ernest L. Pruden, for Joseph Siligman, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—3911 Second avenue, east side, 75.2 ft. south of 39th street (Block No. 707, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ernest L. Pruden.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(780-39-A)

WHEREAS, Ernest L. Pruden, for Joseph Siligman, owner, filed June 12, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 3911 Second avenue, east side, 75.2 ft. south of 39th street (Block No. 707, Lot No. 6), Borough of Brooklyn; and

WHEREAS, Order No. 1011-LF of the fire commissioner, dated July 29, 1938, reads:

"1. Provide a separate and distinct system of *Automatic Sprinklers* in cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, the above order was referred to in a decision of the fire commissioner dated June 1, 1939; and

WHEREAS, the building is non-fireproof, basement and two stories (30.2 ft.) in height, 22.11 ft. by 57.3 ft. in area; erected in 1916; located in an unrestricted use district and occupied since 1936: Cellar and 1st floor, storage of baled cork; 2nd floor, storage of cork in bags, no persons; Certificate of Occupancy No. 1255, issued December 11, 1916; and

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WHEREAS, the applicant contends that although the order refers to the cellar, the ceiling of this floor is 4 ft. 9 in. above curb level and only 3 ft. 8 in. below curb; that there are two windows of the basement above sidewalk; there are 4 steps leading from sidewalk to the floor of the basement; that a wooden door at the basement could easily be broken; that the building is only 57 ft. 3 in. long and a stream of water could be projected through the windows and reach all portions of the cellar; that in view of these facts, the order should be modified.

Resolved, that the order of the fire commissioner, No. 1011-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the two windows and door opening into the basement from Second avenue shall be maintained and that aisles opposite these windows for the full length of the building shall be maintained, so that in the event of fire the use of hose shall not be impeded; and that the cork shall not be stored within 18 inches of the underneath side of the floor beams.

804-39-A.

APPLICANT—Marcus L. Bermann, for Horton Pilsener Brewing Co., Inc., owner.

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—1361-1369 Amsterdam avenue, northeast corner of West 126th street (Block No. 1967, part of Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: Marcus L. Bermann.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(804-39-A)

WHEREAS, Marcus L. Bermann, for Horton Pilsener Brewing Co., Inc., owner, filed on June 16, 1939, an appeal from an order and decision of the fire commissioner, affecting premises: 1361-1369 Amsterdam avenue, northeast corner of West 126th street (Block No. 1967, part of Lot No. 40), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 37505-F, dated November 1, 1937, reads:

"1. Install an approved standpipe system in accordance with the rules of the Board of Standards and Appeals, Sec. 580-1, Ch. 5, Art. 28, C.O."

and

WHEREAS, the above order was referred to in a decision of the fire commissioner, dated June 8, 1939; and

WHEREAS, the building is fireproof, 5 stories (80 ft.) in height, 104.7 ft. by 99 ft. in area; erected approximately 1904; located in a business use district and occupied: Cellar, 1st and 2nd floors, fur storage; 3rd, 4th and 5th floors, beer storage; building is equipped with a sprinkler system; and

WHEREAS, the applicant contends that the area of the building exceeds 10,000 sq. ft. by only a small fraction; that the building is fireproof and fully sprinklered and is exposed on three sides; that to require the installation of a standpipe would be a hardship on the owner and unnecessary, in view of the existing sprinkler system.

Resolved, that Order No. 37505-F of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted*, waiving the requirements for a standpipe system, *on condition* that the building shall not be increased in height or area; that the construction and occupancy shall comply with all laws, rules and regulations

applicable thereto and that the sprinkler system shall be maintained to the satisfaction of the fire commissioner.

809-39-A.

APPLICANT—Leonard E. Golditch, for Comet Aerial Advertising Co., owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge, foot of West Tenth street and McKenzie street, 1000 ft. off shore, Atlantic Ocean, waters surrounding Coney Island, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard E. Golditch.

For Opposition: Harold Klorfein, Department of Parks.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(809-39-A)

WHEREAS, Leonard E. Golditch, for Comet Aerial Advertising Co., owner, filed on June 19, 1939, an appeal from a decision of the Fire Commissioner, relating to the display of fireworks from a boat to be located 1000 ft. off shore between West Tenth street and McKenzie street, Atlantic Ocean, Coney Island, Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated June 9, 1939, reads:

"With reference to your letter of May 22, 1939, relative to the advertising in which rockets are used in the Atlantic Ocean, from West 10th street to McKenzie street, Brooklyn.

It will be necessary for your client to go back to the Board of Standards and Appeals in order to get permission for this fireworks display.

As the Board of Standards and Appeals granted permission for a display from West 10th street to West 37th street, 750 ft. distant from shore for the Comet Aerial Advertising Company, it does not give them permission to make a display from West 10th street to McKenzie street, Brooklyn."

and

WHEREAS, the applicant contends that it is proposed to conduct an advertising display within the area described in this appeal and in the same manner as permitted by the Board under Cal. No. 535-39-A.

Resolved, that the decision of the fire commissioner, dated June 9, 1939, and as expressed in Order No. 80398-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed advertising display in the form of a rocket shall be discharged on a lighter located a distance not less than one thousand feet from the shore line and limited to the space between West 10th street and McKenzie street, Atlantic Ocean, Coney Island, Brooklyn; that the discharge shall be from a cylinder mortar, properly anchored to the deck or buried in the sand, as proposed; that the amount of black powder for each discharge shall be not more than 5 oz.; that the operation shall be in charge of a licensed pyrotechnist; that such fire-fighting appliances shall be maintained on deck as the fire commissioner shall direct; that the advertising device in the form of a parachute shall be on Japanese paper which shall be flame-proofed to the satisfaction of the fire commissioner; that this permit shall continue only during the season of 1939, ending October 1st; that the equipment and powder containers shall be maintained to the satisfaction of the fire commissioner; that no rockets shall be discharged during the time that any boats or

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tankers carrying gasoline or other explosives are within 2,000 ft.

810-39-A.

APPLICANT—Leonard E. Golditch, for Comet Aerial Advertising Co., owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge, between Ebbits street and Doty avenue, 1000 ft. off shore, New York Bay, waters surrounding Midland Beach, Borough of Richmond.

APPEARANCES—

For Applicant: Leonard E. Golditch.

For Opposition: Harold Klorfein, Department of Parks.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(810-39-A)

WHEREAS, Leonard E. Golditch, for Comet Aerial Advertising Co., owner, filed June 19, 1939, an appeal from a decision of the fire commissioner, relating to a display of fireworks on lower New York Bay, 1000 feet off shore between Ebbits street and Doty avenue, Midland Beach, South Beach and New Dorp Beach, Borough of Richmond; and

WHEREAS, the decision of the fire commissioner, dated June 12, 1939, reads:

"With reference to your application, dated May 26, 1939, for a permit to use an advertising display, which comes in the form of a rocket, etc., at the above premises, I regret to inform you that this department is without power to grant such a permit for the reason: It shall be unlawful to discharge or use rockets or aerial salutes of any kind. Sec. C-19-42-0-b-1."

and

WHEREAS, it is proposed to display advertising matter in the form of rockets from the deck of a boat cruising off shore between the streets and at the location stated above; and

WHEREAS, the applicant contends that it is proposed to conduct an advertising display within the area described in this appeal and in the same manner as permitted by the Board under Cal. No. 535-39-A.

Resolved, that the decision of the fire commissioner, dated June 12, 1939, and as expressed in Order No. 17465-LC be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed advertising display in the form of a rocket shall be discharged on a lighter located a distance not less than one thousand feet from the shore line and limited to the space between Ebbits street and Doty avenue, Midland Beach, South Beach and New Dorp Beach, Borough of Richmond; that the discharge shall be from a cylinder mortar, properly anchored to the deck or buried in the sand, as proposed; that the amount of black powder for each discharge shall be not more than 5 oz.; that the operation shall be in charge of a licensed pyrotechnist; that such fire-fighting appliances shall be maintained on deck as the fire commissioner shall direct; that the advertising device in the form of a parachute shall be on Japanese paper which shall be flame-proofed to the satisfaction of the fire commissioner; that this permit shall continue only during the season of 1939, ending October 1st; that the equipment and powder containers shall be maintained to the satisfaction of the fire commissioner; that no rockets shall be discharged during

the time that any boats or tankers carrying gasoline or other explosives are within 2,000 ft.

832-39-A.

APPLICANT—Lawrence J. McManus, for Lawrence J. McManus, et al., owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—452 West 49th street, south side, 163 ft. east of Tenth avenue (Block No. 1058, Lot No. 58), Borough of Manhattan.

APPEARANCES—

For Applicant: Lawrence J. McManus and W. J. Fauser.

For Administration: Jacob Scharf, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(832-39-A)

WHEREAS, Lawrence J. McManus, for Lawrence J. McManus, et al., owners, filed June 21, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 452 West 49th street, south side, 163 ft. east of Tenth avenue (Block No. 1058, Lot No. 58), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 99-39, dated May 25, 1939, reads:

"12. Request for acceptance of flue as described in this amendment is denied."

and

WHEREAS, the building is 4 stories (45 ft.) in height, 21 ft. 6 in. by 60 ft. in area, of class 3 construction, located in a residence use district, erected in 1898 and occupied as a Class "A" multiple dwelling; and

WHEREAS, the applicant contends that it was originally planned to build an inside flue, as shown on plans filed with the building department; that upon commencing the work it was found it would be necessary to remove all present marble fire places and extend the present chimney breasts 8 in. more into the room, which would destroy the main living room of each apartment; that it is proposed to improve the old chimney to the extent of building an 8 in. flue lining up to the ceiling of the 1st floor and provide a clean out door in the cellar; that the present chimney is in good working condition and was previously used for a furnace supplying heat and hot water for the parlor floor and basement apartments and for heating water for all the apartments in the building; that an undue hardship would be suffered if the owner was required to install a new chimney.

Resolved, that the decision of the borough superintendent on Alt. Applic. 99-39, objection No. 12, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the flue shall be maintained as described and shall be used for no other heating device than the proposed oil burner in the cellar and that no fire-place throughout the building shall be connected to such flue.

837-39-A.

APPLICANT—Vincent S. Todaro, for Providence A. Todaro, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1901-1911 West 12th street and 50-60 Avenue S, southeast corner (Block No. 7077, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Vincent S. Todaro.

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For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(837-39-A)

WHEREAS, Vincent S. Todaro, for Providence A. Todaro, owner, filed June 20, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 1901-1911 West 12th street and 50-60 Avenue S, southeast corner (Block No. 7077, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, re Alt. App. No. 910-39, dated May 25, 1939, reads:

"Conversion of part of frame building in the fire limits to business use contrary to Sections 4.1.2 and 4.2.1 of Bldg. Code, as provided in Sec. 2.1.3.5 of Bldg. Code."

and

WHEREAS, the building is of frame construction 2 stories and attic (31 ft.) in height, 34 ft. by 51 ft. 6 in. in area at 1st story, 27 ft. by 44 ft. above; erected in 1894; located in a business use district; occupied since 1919 as architect's office and dwelling; and

WHEREAS, the applicant contends that the building is a heretofore converted multiple dwelling, first floor having been occupied for over 19 years as an architect's office and apartment; 2nd floor by two families; 3rd floor, one family; that the building as altered will not conflict with any provisions of the multiple dwelling law or the building code; that the proposed installation will comply with all requirements in section 415, subdivision C of the building code.

Resolved, that the decision of the acting borough superintendent on Alt. Applic. 910-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed business occupancy as an architect's office shall comply with all requirements of the Zoning Resolution and the Multiple Dwelling Law and in all other respects with the Building Code, except that it may be used as proposed, *on condition* that the area so to be used shall not be increased beyond that stated; that such business use shall be confined to the 1st floor of the building; and *granted* only so long as it is continued as an architect's office.

840-39-A.

APPLICANT—Herman Kron, for John J. Downing, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1068 East Tenth street, west side, 210 ft. north of Avenue K (Block No. 6530, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(840-39-A)

WHEREAS, Herman Kron, for John J. Downing, owner, filed June 22, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises

1068 East Tenth street, west side, 210 ft. north of Avenue K (Block No. 6530, Lot No. 33), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Applic. No. 2567-39, dated June 21, 1939, reads:

"1. The use of more than two stories in a two family frame building is contrary to 8.7.2.1 of the Building Code."

and

WHEREAS, the building is 2½ stories (30 ft.) in height, 20 ft. by 40 ft. in area, located in a residence use district, erected about 1912 and occupied: Cellar—boiler room and storage; 1st, 2nd and attic stories—dwelling; and

WHEREAS, it is proposed to divide the 1st floor by constructing a partition along the side of the present stair leading to the 2nd floor, installing a bathroom on the 1st floor and installing a kitchen on the 2nd floor, using the attic as bedrooms in conjunction with the 2nd story occupancy.

Resolved, that the decision of the acting borough superintendent on Applic. No. 2567-39, be and it hereby is *modified* as to Objection No. 1 and that the appeal be and it hereby is *granted* so as to permit the occupancy of the building by not more than two families, one on the 1st floor and one occupying the second and attic floors, *on condition* that an agreement shall be signed by the owner and filed with the acting borough superintendent, that the building shall at no time be occupied by more than two families; that there shall be no cooking done in the attic; that there shall be a second means of exit provided from the attic story, which may be by means of an exterior fire escape or steel ladder from the attic story to the extension roof or platform and thence by drop ladder or counter-balanced ladder to grade; that the building shall not be increased in height or area; that the lot shall not be reduced; that in all other respects the building shall comply as to construction and occupancy with all laws, rules and regulations applicable thereto.

853-39-A.

APPLICANT—Lewis Leining, for Manzi Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—271 East Kingsbridge road, east side, 100.32 ft. north of Briggs avenue (Block No. 3293, Lot No. 109), Borough of The Bronx.

APPEARANCES—

For Applicant: Lewis Leining.

For Administration: M. C. Theide, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

THE RESOLUTION—

(853-39-A)

WHEREAS, Lewis Leining, for Manzi Realty Corporation, owner, filed June 26, 1939, an appeal from decision of the borough superintendent of buildings affecting premises 271 East Kingsbridge road, east side, 100.32 ft. north of Briggs avenue (Block No. 3293, Lot No. 109), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent on Alteration Application 306-1939, dated June 7, 1939, reads:

"1. The changing of occupancy of an existing frame structure within the fire limits, from private dwelling to store on first floor and to office and dwelling on second floor is unlawful. Sec. C-26-250. Administrative Code."

and

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WHEREAS, the building is 2½ stories (22 ft.) in height, 20 ft. by 44 ft. in area, part 3 and part 4 construction, erected prior to 1916, located in a business use district on a lot 50 ft. by 80 ft. in area and occupied: Cellar, boiler room and storage; first floor and second floor, 1 family dwelling, attic—vacant. It is proposed to occupy the building as follows: new 1st floor, stores; 2nd floor, office and one apartment; 3rd floor, 1 apartment; attic—vacant; and

WHEREAS, the applicant contends the present cellar walls of which are stone laid in cement mortar will become the first story; that upon compliance with the objections of the borough superintendent which are not subject of this appeal, the building will be made fire-resisting.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 306-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the alteration of the building substantially as proposed, *on condition* that the cellar story, now to be the 1st story of the building, shall have the ceiling throughout fire-retarded; that the stairway from the upper stories shall lead direct to East Kingsbridge road and shall be separated by an enclosure of terra cotta blocks through the 1st story and by similar construction or fire-retarded construction for the balance of the run, with all doors fireproof and self-closing; that in addition to the business occupancy on the 1st and 2nd floors, the balance of the building shall be occupied by not more than two families; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

857-39-A.

APPLICANT—Cities Service Oil Company, lessee, for Chase National Bank, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—130-134 Maiden lane, southwest corner of Water street (Block No. 39, Lot Nos. 26, 27 and 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas M. Fisher.

For Administration: Jacob Scharf, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

THE RESOLUTION—

(857-39-A)

WHEREAS, Cities Service Oil Company, lessee, for Chase National Bank, owner, filed June 26, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises: 130-134 Maiden lane, southwest corner of Water street (Block No. 39, Lot Nos. 26, 27, and 28), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on F.P. Application 392-39 dated June 23, 1939, reads:

"The amendment to install a Janitrol Gas Unit Heater at the above premises is disapproved with the following objection:

1. The Board of Standards and Appeals, in their general approval of this unit under 683-38-SA, stated that the bottom of the heater be located at least 8 ft. 0 in. above floor level, and your amendment requests permission to so set the heater as to have but 5 ft. 8 in. clearance from floor to bottom of heater."

WHEREAS, the premises consist of a plot 62 ft. 1 in. by 63 ft. 8 in. in area, located in an unrestricted use district upon which it is proposed to erect a one story building 12 ft. 8 in. in height, 14 ft. by 39 ft. in area of Class 5 construction and occupied for car washing and greasing; and

WHEREAS, the applicant contends that the building will

be constructed of angle irons and galvanized sheet metal, with Portland Cement on metal lath on the interior; that the height of the ceiling is 8 feet 8 inches, and the heater is 36 inches; it is therefore impractical to provide the clearance required by the Board in its general approval of the appliance; a modification is requested, so as to permit installation of these heaters 5 feet 8 inches above the floor.

Resolved, that the decision of the borough superintendent, on F.P. Applic. No. 392-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the erection of the Janitrol Heater, as proposed, *on condition* that in all other respects the installation complies with the requirements of the approval of the Board under Cal. No. 683-38-SA and to the requirements of the borough superintendent of buildings and that a proper barricade shall be constructed around the heater to prevent any damage from interference by automobiles.

859-39-A.

APPLICANT—Saul Goldsmith, for Rocco Lopapa, owner. SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—431 Columbia street, east side, 100 ft. south of Huntington street (Block No. 534, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

THE RESOLUTION—

(859-39-A)

WHEREAS, Saul Goldsmith, for Rocco Lopapa, owner, filed June 26, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 431 Columbia street, east side, 100 ft. south of Huntington street (Block No. 534, Lot No. 5), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 2153-39, dated June 23, 1939, reads:

"1. Change of dwelling on 1st floor to a commercial use in a frame dwelling within the fire limits is contrary to Sections 2.1.3.5 and 4.2.1, Building Code."

and

WHEREAS, the building is 3 stories (30 ft.) in height, 20 ft. by 41 ft. in area, located in a business use district, erected in 1884, and occupied as a dwelling; and

WHEREAS, the applicant contends that the building was originally erected for store and five families; that the proposed business use will be limited to a non-hazardous occupancy; that the walls are now brick filled; that the ceiling, walls and hall partitions will be fire-retarded with metal lath and ¾ inch Portland cement mortar and that fire-escapes will be provided for the upper floors.

Resolved, that the decision of the acting borough superintendent, on Alt. Applic. No. 2153-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 1, permitting the occupancy of the 1st floor for business purposes, *on condition* that the ceiling through the 1st story shall be fire-retarded and the stair to the cellar shall either be removed or enclosed in masonry in accordance with the requirements of the Building Code; that if such interior stair to the cellar is removed, the exterior means of entrance to the cellar at the front and rear shall be retained; that the stairway throughout the building shall be enclosed in a fire-retarded partition; that the building shall be removed from the classification as an

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old law tenement; that there shall not be more than two families in the upper stories; that approved fire-escapes shall be installed to provide a second means of exit from the stories having a residential occupancy; that in all other respects the building shall comply with all laws, rules and regulations for a building hereafter erected outside of the fire limits; and that the building shall not be increased in height or area.

865-39-A.

APPLICANT—A. J. Simberg, for Tessie Smith, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—5223 Snyder avenue, northwest corner of East 53rd street (Block No. 4700, Lot No. 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. J. Simberg.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Absent	0

THE RESOLUTION—

(865-39-A)

WHEREAS, A. J. Simberg, for Tessie Smith, owner, filed June 27, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 5223 Snyder avenue, northwest corner of East 53rd street (Block No. 4700, Lot No. 36), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 901-39, dated June 23, 1939, reads: "2. As pitch of roof exceeds 20° provide a second means of egress as required by Sec. 188, and in accordance with Sec. 187, Multiple Dwelling Law."

and

WHEREAS, the building is cellar and 2 stories (27 ft.) in height, 20 ft. 1½ in. by 68 ft. in area, located in a residence use district, erected in 1925, and occupied as a dwelling; and

WHEREAS, the applicant admits that the pitch of roof is over 20° and that there is only a single means of egress from each floor to the street.

Resolved, that the decision of the acting borough superintendent, on Alt. Applic. No. 901-39, be and it hereby is affirmed, and that the appeal be and it hereby is denied.

867-39-A.

APPLICANT—Ferdinand Savignano, for Katherine Fitzgerald, owner (Gustave J. Dame, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—34-40 to 34-66 Junction boulevard, northwest corner of 35th avenue (Block No. 1455, Lot No. 70), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Julian Alcalde and E. A. Palmieri.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

THE RESOLUTION—

(867-39-A)

WHEREAS, Ferdinand Savignano, for Katherine Fitz-

gerald, owner (Gustave J. Dame, lessee), filed June 27, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 34-40 to 34-66 Junction boulevard, northwest corner of 35th avenue (Block No. 1455, Lot No. 70), Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 1362-39, dated June 16, 1939, reads:

"Changing use of cellar from storage to bowling alleys contrary to 4.2.1 of Building Code. Not further examined."

and

WHEREAS, the building is 1 story (14 ft.) in height, 201.38 ft. by 94.74 ft. and 72.67 ft. irregular in area, located in a business use district, erected in 1928, and occupied. Cellar—storage and heating; 1st floor—stores; and

WHEREAS, the applicant contends that the building is only one story in height and the space to be occupied as bowling alleys, is approximately 7500 sq. ft. in area and the entire cellar ceiling is fire-retarded with metal lath and two coats of Portland cement mortar; that the columns and girders are fire protected and all partitions are of 4 in. terra cotta blocks and that exit stairs are enclosed in 8 in. of brick work with all openings equipped with self-closing doors.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 1362-39, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that the space occupied by the bowling alleys shall not exceed 6800 sq. ft. and shall comply in all other respects with the requirements of the Building Code and all other laws, rules and regulations applicable thereto; that the space occupied by the bowling alleys in the cellar shall be separated on that story from all other parts of the building by walls of fireproof materials and that the ceiling of the cellar story shall be fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals.

882-39-A.

APPLICANT—Harold Klorfein for Department of Parks, City of New York, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Chimney Sweeps Islands in Pelham Bay, 3000 ft. east of Orchard Beach (Block No. 5649, Lot No. 150), Borough of The Bronx.

APPEARANCES—

For Applicant: Harold Klorfein and Fred C. Murray.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

THE RESOLUTION—

(882-39-A)

WHEREAS, Harold Klorfein, for Department of Parks, City of New York, owner, filed June 30, 1939, an appeal from a decision of the fire commissioner affecting premises Chimney Sweeps Islands in Pelham Bay, 3000 ft. east of Orchard Beach (Block No. 5649, Lot No. 150), Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner, reads:
June 30, 1939.

Refer to Folder No. 13-1-D.

"I wish to acknowledge receipt of your application dated June 30th, 1939, relative to the display of fireworks at Orchard Beach, Borough of The Bronx, from Chimney Sweeps Island, under the jurisdiction of the Department of Parks, New York City. The

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fireworks display to be held each Wednesday evening, beginning Wednesday evening, July 12th, 1939, and continuing up to and including Wednesday evening, August 30th, 1939.

In reply I desire to state it is not the policy of this department to issue permits for fireworks displays in New York City and therefore, your request for permit for such displays is hereby denied."

and

WHEREAS, it is proposed in order to save the expense of renting barges, as has been done in the past three years, to display fireworks at Orchard Beach, the city has acquired Chimney Sweeps Islands in Pelham Bay, situated approximately 3,000 feet east of Orchard Beach.

It is proposed to discharge the fireworks from a sand pit with a wooden platform covered with sand for the men to work on. The display will be mostly of an aerial nature, and will be performed by an accredited fireworks company who will be required to employ skilled pyrotechnists; and

WHEREAS, appellant contends that in view of the fact that a display of fireworks from these islands is undoubtedly safer than from barges at approximately this same location, for which permission was granted in the past years, it is respectfully requested that this appeal be granted.

Resolved, that the decision of the fire commissioner, dated June 30, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the display of fireworks off Orchard Beach, as indicated on plans filed with this appeal, *on condition* that such fireworks shall be fired from a barge anchored 1500 ft. off the shore of Orchard Beach or on Chimney Sweeps Islands; that the fireworks shall be discharged from mortars securely fastened, as approved by the fire commissioner; that all fireworks shall be discharged away from the land and in the general direction of Execution Light; that the operation and display shall be under the supervision of a qualified pyro-technist at all times, holding a certificate of fitness issued by the fire commissioner; that the storing and handling of fireworks shall at all times be in accordance with the requirements of the division of combustibles of the fire department; that there shall be maintained adjacent to the place where the fireworks are discharged, at all times, two (2) portable 40 gallon fire extinguishers; that this modification shall be only for the period commencing July 12, 1939, and up to and including August 30, 1939, and for not more than one day a week during that period.

216-34-A.

APPLICANT—Haeuser Shellac Company, Inc., lessee.

SUBJECT—Appeal for consideration—reopening and extension of permit—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—52-64 Warren street, south side, 214 ft. west of Columbia street (Block No. 303, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harold C. Krulder and Frederick Shipley.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent	0
Not Voting: Assistant Chief McCarthy	1

THE RESOLUTION—

(216-34-A)

WHEREAS, this appeal from an order of the fire commissioner affecting premises 52-64 Warren street, south side, 214 ft. west of Columbia street (Block No. 303, Lot No. 1), Borough of Brooklyn, was granted by the board June 18, 1935, on certain conditions, resolution amended

extending permit until June 27, 1939 and appellant requested a further extension of the permit; and

WHEREAS, applicant has filed a copy of order No. 80499-LC ordering the removal of chlorine.

Resolved, that the Board of Standards and Appeals does *hereby amend* its resolution adopted on June 18, 1935, July 7, 1936, June 8, 1937, as amended June 27, 1938, so that as amended it shall read:

"*Resolved*, that the orders of the fire commissioner, No. 65096-LC, 71251-LC, 75687-LC and 80499-LC be and they hereby are *modified* and that the appeal be and it hereby is *granted*, permitting the use of liquefied chlorine, in accordance with plans and application previously approved under plan filed with the fire commissioner, No. 1967-32, for a period of one year from June 27, 1939, *on condition* that the additional requirements incorporated in the report of the committee of the board, dated June 17, 1935, shall also be complied with *and that the required permit from the Fire Commissioner shall be obtained*."

VARIATIONS OF LABOR LAW

718-39-S.

APPLICANT—Van Wart and Ackerman, for S. B. Thomas, Inc., owner.

SUBJECT—Variation of the Labor Law as cited in an order of the fire commissioner.

PREMISES AFFECTED—33-01 to 33-07 Queens boulevard, northeast corner of 33rd (Rawson) street (Block No. 243, Lot No. 9), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Frank G. Ackerman.

ACTION OF BOARD—Laid over to July 11, 1939, at 2 p.m., on request of applicant.

844-39-S.

APPLICANT—Phillips-Jones Corporation, owner.

SUBJECT—Variation of the Labor Law at cited in orders of the fire commissioner.

PREMISES AFFECTED—829 East 134th street and 141 Walnut avenue, northwest corner (Block No. 2586, Lot No. 26), Borough of The Bronx.

APPEARANCES—

For Applicant: Seymour Wilner.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Application withdrawn, to comply. THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

760-39-S.

APPLICANT—Eagle Electric Mfg Co., Inc., lessee, for Park Hall Corporation, owner.

SUBJECT—Variation of the Labor Law at cited in a decision of the fire commissioner.

PREMISES AFFECTED—290-302 Park avenue, southeast corner of Hall street (Block No. 1891, part of Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Goldstein and S. B. Kluger.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy	4
Negative	0
Absent	0

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THE RESOLUTION—

(760-39-S)

WHEREAS, Eagle Electric Mfg. Co., Inc., lessee, for Park Hill Corporation, owner, filed June 6, 1939, an application for variation of the Labor Law, as cited in a decision of the fire commissioner, affecting premises 290-302 Park avenue, southeast corner of Hall street (Block No. 1891, part of Lot No. 19), Borough of Brooklyn; and WHEREAS, the decision of the fire commissioner, dated May 12, 1939, reads:

"In response to your communication of May 4, wherein you request permission to keep exit doors locked, you are advised that the provisions of the Labor Law require that *all* doors leading into and out of factories shall be kept unlocked, unbolted and unfastened during business hours. The definition of a factory includes a mill work shop or other manufacturing establishments and all buildings, shops, structures or other places used for or in connection therewith.

The provisions of this law are mandatory and the fire chief and commissioner is without discretion to make any modification."

and

WHEREAS, the building is 4 stories (50 ft.) in height, 234 ft. by 185 ft. in area, of non-fireproof construction, erected prior to 1900, located in an unrestricted and residence use district, and occupied: Cellar—stock room—no persons; 1st floor shipping and offices—18 persons; 2nd floor—stock room and offices—25 persons; 3rd floor—manufacturing shoes—60 persons; 4th floor—manufacturing lamps—60 persons. The building is equipped with a sprinkler system, interior fire alarm system, two interior 4 ft. fireproof stairways equipped with kalamein doors at openings and two fire-escapes which extend to the roof by ladder and to the street by stairs; and

WHEREAS, the applicant contends that no part of the 1st floor or cellar is used for manufacturing; that the order will be complied with as to the 1st floor; that a variation is requested as to the cellar floor, which is used exclusively for storage purposes; that there are four exits from the cellar, two of which are the subject of this application; that as to these two exits, it is necessary to keep them locked to prevent theft of merchandise; that the two exits from the cellar, which will be made to comply, are sufficient.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* of the Labor Law as cited in the decision of the fire commissioner, dated May 12, 1939, and that the application be and it hereby is *granted*, permitting a door opening directly from the cellar to Park avenue and a door opening directly from the cellar to Hall street, to be barred during working hours, *on condition* that it shall always be openable from the interior and that there shall be a panic bolt type lock installed on the inside of each door, capable of being opened by a key from the exterior, which key shall be properly tagged and left at the local fire station; that the two doors opening directly from the cellar to the interior yard with free access therefrom to Hall street, shall be open during working hours as well as the stairways leading from the cellar to the 1st floor; that in all other respects the building shall comply with the Labor Law and all other laws, rules and regulations applicable to the building and occupancy and that the requirements of the resolution adopted by the board as amended on September 20, 1938, under Cal. No. 385-18-S shall be complied with; that the cellar shall be occupied solely as a stock room and that this variance shall continue only so long as the occupancy is as proposed.

APPLIANCES SUBMITTED FOR APPROVAL

329-35-SA.

APPLICANT—Baker Perkins Company, Inc., owner.

SUBJECT—Application for consideration—reopening and

amendment—re Baker Perkins Atomizing Type Mechanical Draft Oil Burner, Types C and CD.

APPEARANCES—

For Applicant: William E. Inch.

ACTION OF BOARD—Application reopened and referred to the engineer of the board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

McCarthy	4
Negative	0
Absent	0

46-34-SA.

APPLICANT—Louis G. Imperato, for May Oil Burner Corporation, owner.

SUBJECT—Application reopened May 31, 1939 — for amendment of resolution — May Oil Burner — amendment to include additional models.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Resolution amended in accordance with report of committee on tests.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

McCarthy	4
Negative	0
Absent	0

THE RESOLUTION—

(46-34-SA)

WHEREAS, William G. Shrews, Jr., for the May Oil Burner Corp., owner, filed February 16, 1934, an application with the Board of Standards and Appeals for approval of the appliance known as the May Oil Burner, Type BB; and

WHEREAS, this appliance was approved by the board April 17, 1934, and the owner through its attorney, Louis G. Imperato, requested an amendment of the resolution; and

WHEREAS, this application was reopened on March 14, 1939, and submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board, dated March 20, 1939, reads as follows:

REPORT OF ENGINEER

March 20, 1939.

Re. Cal. No. 46-34-SA.

Amendment to Resolution adopted April 17, 1934, approving the May Oil Burner Type BB to include Models B, NSJ, F, NSJ 1, and W.

Under date of April 17, 1934, the Board of Standards and Appeals approved the May Oil Burner, Model BB. Request has been made to include in the approval Models B, NSJ, F, NSJ 1 and W, and to permit use of name Quiet May.

These models differ from the original model approved in the following Model B—this is identical with Model BB except that the ornamental cover has been removed.

Model NSJ the same as BB except for shape of base which is horseshoe in shape and the blower housing and windpipe painted red.

Model F—The transformer which in BB is suspended from windpipe is attached to top of blower housing and the base has 3 prongs.

Model NSJ 1—same as Model F—the only difference is type of strainer. Model F using a Cuno strainer and NSJ 1 a Commercial Filters Corp.

Model W—same as BB without cover but uses a larger blower fan, larger housing and windpipe.

There have been no changes in the controls. The oil pump now used is manufactured by the Waltham Pump Co. The motor is a Century or Ohio. The

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original burner was approved by the Underwriters Laboratories MP 166.

An inspection and test of Model F was made at 182 Ocean parkway on March 20, 1939, and the burner was found to operate properly.

It is recommended that the resolution adopted by the board April 17, 1934, be amended to read that the May Oil Burner, and Quiet May Oil Burner, Models BB, B, NSJ, F, NSJ 1 and W, be approved for use in domestic, commercial and industrial installations with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards, when manufactured and installed in accordance with this report and the report set forth in the original resolution of April 17, 1934, and in accordance with the oil burner rules, on condition that the burner bear a label permanently attached reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 46-34-SA."

and

WHEREAS, these models were approved and the owner, through his attorney, Louis G. Imperato, requested the approval of additional models; and

WHEREAS, these models were submitted to the committee on tests for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 46-34-SA.

Approval of May Oil Burner, Models SMT, LCT and DU.

Under date of March 21, 1939, the board amended its resolution of April 17, 1934, to include additional models, request is now made for further amendment to include the approval of Models SMT, LCT and DU.

These models differ from the models previously approved mainly in the arrangement of the parts and the units in which they are installed. The SMT model is designed for use with a marine type boiler for steam and hot water and DU for use with a cast iron boiler. LCT for use with a steel boiler. The burners are equipped with Girota pump, Torrington fan, a McDonald No. 71 Low water cut off, Perfex aqua stat, a McDonald-Muller pressuretrol.

Inspection and test of these burners was made at 139 East 35th street. Model DU at 9509 Avenue B, Model LCT at 115 East 96th street, Brooklyn, Model SMT.

On the basis of these tests, it is recommended that the resolution of the board be amended to include the approval of Models SMT, LCT and DU.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of April 17, 1934, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *approve* the appliance known as May Oil Burner and Quiet May Oil Burner, Models BB, B, NSJ, F, NSJ 1 and W, and Models SMT, LCT and DU for use in domestic, commercial and industrial installation with fuel oil not heavier than No. 3, U. S. Department of Commerce standards, when installed in accordance with the oil burner rules of the Board of Standards and Appeals and with the above report, *on condition* that the appliance shall have a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. 46-34-SA."

348-39-SA.

APPLICANT—Sidney L. Strauss, for Ignatius L. Muller, owner.

SUBJECT—"Absolute" Oil Separator—approval of.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Appliance approved, in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

McCarthy 4

Negative 0

Absent 0

THE RESOLUTION—

(348-39-SA)

WHEREAS, Sidney L. Strauss, for Ignatius L. Muller, owner, filed March 20, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Absolute Oil Separator; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 348-39-SA.

Approval of the Absolute Oil Separator.

WHEREAS, Sidney L. Strauss, for Ignatius L. Muller, owner, filed March 20, 1939, an application with the Board of Standards and Appeals for approval of the Absolute Oil Separator, under the provisions of C26-1296.0 (14.9.16) Adm. Bldg. Code.

This oil separator consists of a metal container of No. 7 gauge metal divided into three compartments, in the upper compartments dirt is collected and the middle compartment of No. 18 gauge metal serves for the accumulation of oil. Water containing oil and dirt enters the upper compartment and the dirt is screened out. It then passes around the middle compartment and oil rises to the surface and enters the middle compartment at the top. The cleansed water then flows into the sewer.

Tests were made of this appliance in operation at 166 Green street and the effluent was formed free from volatile inflammable oils.

It is recommended that the Absolute Oil Separator be approved for use in New York City, on condition that the appliance bear a label reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 348-39-SA," and that the appliance conform to the requirements of C26-1296.0 (14.9.16) a, b, c, d and e.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Absolute Oil Separator, *on condition* that the appliance be manufactured, installed, operated and labelled in accordance with above report.

488-39-SA.

APPLICANT—George Numrich, for Carrier Corporation, owner.

SUBJECT—Carrier Water Cooler—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved, in accordance with report of committee on tests.

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THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0
Absent 0

THE RESOLUTION—

(488-39-SA)

WHEREAS, George Numrich, for Carrier Corporation, owner, filed April 19, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as Carrier Water Cooler; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 488-39-SA.

Approval of Carrier Water Cooler.

George Numrich, for Carrier Corporation, owner, filed April 19, 1939, an application with the Board of Standards and Appeals for approval of the Carrier Water Cooler, under the provisions of C26-191.0 (2.2.3) Administrative Building Code, and C19 Administrative Code.

The Water Cooler is housed in a metal cabinet 15½" square by 40¾" high with a sanitary vitreous enamel top equipped with chrome fittings.

The inside of the cabinet is divided into two compartments, one upper and one lower, separated by an insulated partition. The lower compartment houses the motor and condensing unit and the temperature regulating valve. The motor and condensing unit are completely assembled in a frame, the frame is then mounted as a complete unit in the lower compartment and bolted in place. The motor is 1/5 H.P. with built-in protection. The full refrigerant charge is 2 lbs. of Freon. The temperature regulating valve is of the dial type and permits adjustment of water temperatures to suit requirements.

The upper compartment houses the evaporator, pre-cooler, and water regulating valve. The pre-cooler is of the shell and coil type, the drain water flows over the coil in which the incoming water enters and pre-cools. The water regulating valve is provided to control the bubbler stream and automatically eliminates stream fluctuation.

The top of the unit is fitted with a bubbler and hand valve and provision is made for the addition of a glass filler. Capacity is rated at 10 gals./hr. based on NEMA standards of 60% normal waste.

This appliance was inspected and tested at the Quinn Engineering Co. plant at 50 Watts street. Present at the test was Commissioner Blum, Chief Engineer Huber of the board, Mr. George Numrich of Carrier Corporation, and representative of Quinn Engineering Co.

As a result of this inspection and test, it is recommended that the Carrier Water Cooler be approved for voluntary use in New York City, when installed and operated in accordance with the Administrative Code and with the above report, on condition that the appliance have a label reading, "Approved by the Board of Standards and Appeals for Voluntary Use in New York City under Cal. No. 488-39-SA."

This appliance has been approved by the Underwriters' Laboratories Appliance 690, Application No. 39C844, May 8, 1939.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Carrier Water Cooler, *on condition* that the appliance be manufactured, installed and labelled in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL

13-39-SM.

APPLICANT—The Celotex Corporation, owner.

SUBJECT—Thermax—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy 4
Negative 0
Absent 0

THE RESOLUTION—

(13-39-SM)

WHEREAS, The Celotex Corporation, owner, filed January 6, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Thermax; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 13-39-SM.

Subject: Thermax—Approval of.

The Celotex Corporation of New York as exclusive agents for the Northwest Magnesite Co. of Chewelah, Washington, filed with the Board of Standards and Appeals on January 6, 1939, a request for the approval of their material known as "Thermax", in thicknesses of 1 in., 2 in. and 3 in., under the pertinent provisions of the Administrative Code for use as sheathing, plaster base, insulation, and in roofs as a structural slab unit, and as a non-bearing partition.

Thermax is made of shredded wood shavings (of kiln dried tamarack and fir timber) cemented together with a binder of air emulsion solution of magnesium oxy-sulphate (60% magnesium oxide) formed under pressure and baked under a temperature of 650° F. It is manufactured in widths of 20 inches and in thicknesses of one, two and three inches of varying lengths from 32 to 96 inches. The material was subjected to the following tests.

These tests were conducted at Columbia University, report No. 2282 being as follows: Flame Test—A1 inch Thermax board of plain and Sprayed-Flake finish were each placed in a furnace and temperatures increased according to the time temperature curve for a period of 40 minutes resulting in a temperature on unexposed surface of 1 inch panel of 177° F. and 180° F., respectively, and of 2-inch panel 166° F. and 148° F., respectively. Immediately on stopping of these tests, the glowing disappeared. A test was performed in a three-inch thick panel by splitting in the middle and exposing the structure to flame for a period of more than 4 minutes, reaching a temperature of 1550° F. Upon removal of flame the panel glowed for about 10 seconds with no flaming.

BOND TEST

Thermax board one inch thick forming panels 10 inches by 10 inches to one surface of which scratch and brown coats were applied. These panels were attached to test blocks so as to subject the bonded

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surfaces to tension; the resulting assembly consisted of two pieces of 1 inch thermax bonded to a $\frac{3}{4}$ inch common plaster coat and for an average of six specimens tested, the average load causing failure was 317 pounds per sq. ft. with failure in the thermax.

SHEATHING TESTS

A test for lateral distortion was conducted at Columbia University, Report No. 2381. In this test two panels of one inch Thermax mounted to $1\frac{5}{8} \times 3\frac{3}{4}$ inch pine studs spaced 16 inch C-C in a panel 4 ft. by 8 ft. with $1\frac{5}{8} \times 3\frac{3}{4}$ inch pine cap and sill secured to cap and sill by 3 temporary nails. Panel No. 1—covered on one side with 1 inch Thermax 20 inches by 64 inches and secured to studs by 9 gauge large head foundry nails $2\frac{1}{4}$ inches long, 3.2 inches on centers on the studs, 6 inches on centers cap and sill. Panel No. 2—identical with panel No. 1, except that 8 penny nails $2\frac{1}{2}$ inches long were used with $1\frac{1}{4}$ inch roofers, washers and spaced 4.2 inches on studs and 7.1 inches cap and sill. Panel No. 3 was made up of $\frac{7}{8}$ and 6 inch T. & G. North Carolina sheathing secured to each stud by two 6 penny nails, 2 inches long. These panels were subjected to a lateral force at top of bed plate in direction of length of panel with resultant failure as follows:

	Panel #1	Panel #2	Panel #3
	2100	2130	2800
Total Applied Load	Tearing	Tearing	Sheathing
Type of Failure	through	through	nails bent
	Thermax	Thermax	and nails
			through cap
			and sill into
			studs partly
			pulled out.

One Hour Fire and Water Test

Tests were also conducted at Columbia University, Report No. F.W. 68 on two partitions, made up as follows:

Four Inch Partition. This partition was made of 3-inch thick Thermax which was laid in block form in (one to three) Portland cement mortar (1:3) $\frac{3}{8}$ inch staggered joints with 5 and a fraction courses in the partition.

The three-inch blocks subsequently received a $\frac{1}{4}$ inch scratch coat of sanded Gypsum plaster, a $\frac{1}{4}$ inch brown coat of similar composition and a $\frac{1}{8}$ inch finish coat of slacked Gypsum to the fire side of the 4 inch partitions.

These partitions formed the walls of the test house, which was separated into two compartments by means of a Thermax partition 5 inches thick.

Test was started with kindling wood saturated with kerosene in accordance with the Time-temperature curve with results as follows:

Results of Columbia Test on 3" Thermax in a solid 4" Partition

4" Solid Thermax Partition: This partition successfully resisted both the fire exposure and the hose stream tests without developing any material defects, as it still possessed a considerable portion of its original stiffness and strength. The temperatures during the test were within the tolerance of the time temperature curve and at the end of 70 minutes all five thermocouples located on the unexposed surface indicated the average temperature of 176° F., which without including the outside temperature was within the Code requirements for the one hour rating.

3" Thermax in 4" Solid Thermax Partition Bureau of Standards' Tests

Tests were also offered by the applicant, which were conducted by the Bureau of Standards, Washington, D. C., File No. 111-6/1TF, wherein a 4 inch partition consisting of 3 inch Thermax blocks plastered on each

side with $\frac{1}{2}$ inch gypsum plaster met the requirements for a $2\frac{1}{4}$ hour fire endurance rating, combustible. The test was ended after 2 hours 18 $\frac{1}{2}$ minutes, when the temperature of the unexposed side began to exceed the 250° F. limitation. The fire and hose stream test indicated a satisfactory degree of resistance to the erosive and impact effects of the stream which was applied in accordance with the specifications for the rating given. This report indicates further that while the Thermax blocks are in large part combustible and will char and disintegrate in the presence of temperatures above the char point of wood, it will not support combustion without outside sources of heat. On the basis of this test, solid walls of 3 inch Thermax blocks and $\frac{1}{2}$ inch of sanded gypsum plaster justify a fire-resisting rating of 2 hours in non-load bearing partitions.

Underwriters Tests on 2" Thermax in a 3" Solid Partition

Tests were performed at the Underwriters, Report No. 2393, on 2 inch Thermax blocks as follows: Thermax 2 inch block 20 inches wide, 64 inches long, 2 inches thick, laid in Portland cement 1 part to three parts of sand by volume and lime in proportion of 15% of the Portland cement by volume, joints staggered, plastered on both sides with not less than $\frac{1}{2}$ thickness of gypsum plaster containing one part fibered gypsum and three parts of dry sand by weight passed the Underwriters' requirements for fire and hose stream tests to qualify for the rating E1 (at least one hour but less than 2 hours), as indicated in the guide No. 40 VM 2.3. for non-bearing partitions.

3" Thermax Load Tests for Roofing

Tests were conducted at Columbia University, Report dated 7/25/34, Tests No.s 59830-59835, inclusive, on 3 inch slabs of "Wet" Thermax on spans of 16 inch and 20 inch loaded at the third point. Neglecting the 16 inch span the results on the 20 inch span are as follows:

The average for three specimens tested having an average area of 3.33 square feet with an average breaking load of 1181# or 356#/ and a square foot. On this basis, as a simple span 3 inch Thermax over a 20 inch span would be capable of carrying a superimposed load of 89#/ per sq. ft. For shorter spans the carrying capacity of 3 inch Thermax would be higher.

MISCELLANEOUS TESTS

Thermax as an insulation material was tested by Armour Institute by the flat plate method with results as follows as to the insulation value of this material:

- 1" Thermax—0.458 BTU/ hr. // degree F
- 2" Thermax—0.229 BTU/ hr. // degree F
- 3" Thermax—0.153 BTU/ hr. // degree F

At the University of Washington tests conducted for capillary action indicated that with one edge of a Thermax slab immersed in water the rise at 4 days was 3 inches in the slab with no further rise after 6 subsequent days, indicating the non-absorption qualities of Thermax.

Thermax is odorless and by virtue of being coated with cement renders the material vermin, termite and fungi-proof.

Recommendation

General—On the basis of flame tests the Committee recommends the approval of Thermax in thicknesses of one inch, 2 inch and 3 inch, as an incombustible material under C 26-88.0 Administrative Building Code (1.80). Approval is also recommended of such thicknesses of Thermax for use as sound and heat insula-

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tion wherever the use of such material is permitted by the Code. Thermax in such thickness is also recommended for approval as a plaster base under C 26-462.0 (8.4.10.6) and as a substitute for combustible lath under C26-458.0 (8.4.10.2) and when so used may be permitted in excess of the two-story limitation. In all cases the method of application shall comply with the requirements of the Administrative Building Code and Rule 2 of the Insulating Fibre Board Rules of the Board of Standards and Appeals. Approval is also recommended of one-inch Thermax as a sheathing material and stucco base in frame structures under C26-538.0 (8.7.2.3) when installed in accordance with the requirements of this section and as described in the sheathing test conducted at Columbia University.

Recommendations Based on Underwriters' Fire Tests

There are no other recommendations on the one-inch Thermax because of the absence of test data.

On the basis of the Underwriters' Tests reported herein two-inch Thermax in a 3-inch solid partition is recommended for approval under C26-636.0 (10.4.3.1) subdiv. C, as a fireproof partition when laid up in accordance with the specifications in the Underwriters' tests. Similarly, approval is recommended for the 3-inch Thermax in a solid 4-inch partition on the basis of the Columbia University test as a fireproof partition, when laid up as provided in such report as described herein under C26-636.0 (10.4.3.1).

3" Thermax for Roof Construction

On the basis of the Columbia Test approval of three-inch Thermax as a roof plank, as meeting the requirements of C26-626.0 (10.3.8) when used as continuous spans with adequate bearing for a maximum load of 59 lbs. per sq. ft., based on a distance between supports of not more than 20 inches and limited to construction other than Class 1 and 2, is recommended, and when used in New York City the material shall bear a label reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 13-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Thermax, for the uses set forth in the report, on condition that the material be manufactured, installed and labelled in accordance with above report.

420-39-SM.

APPLICANT—Superior Fireproof Door and Sash Co., Inc., owner.

SUBJECT—Superior Hollow Metal Panel Type and Flush Type Door, Class "A" (3 hr. fire door)—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief McCarthy

Negative

Absent

THE RESOLUTION—

(420-39-SM)

WHEREAS, Superior Fireproof Door and Sash Co., Inc., owner, filed April 4, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Superior Hollow Metal Panel Type and Flush Type Door, Class "A" (3 hr. fire door) and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF THE COMMITTEE ON TESTS

June 30, 1939.

Cal. 420-39-SM.

Subject: Superior Panel Type & Flush Type Swinging Hollow Metal Doors for fire resistive ratings up to 3 hours.

The Superior Fireproof Door & Sash Co., Inc., of New York City, filed on April 4, 1939, an application with the Board of Standards and Appeals for approval of their swinging "flush" and "panel" type doors under the provisions of C26-610.0 Administrative Bldg. Code (10.1.18), and C26-660.0 Administrative Bldg. Code (10.8.1) which require a fire resistive rating of 3 hours based on fire tests as described in the Administrative Bldg. Code.

Two types of doors were offered for approval with specifications as follows:

SUPERIOR PANEL TYPE DOOR

This door is of hollow steel construction with overall dimensions of 7 ft. 11½ in. x 3 ft. 11 13/16 in. and of specifications and fabrication as follows:

The stiles are formed of hollow insulated steel members as shown on figure 2. The panel moulding is formed as shown on figure 2 so as to receive the panel which enters the grooves to a depth of 1¼ in. The rails are constructed similar to the stiles, see figures 1 and 2. The panels consist of two No. 18 U. S. gauge steel sheets, see figures 1 and 2, separated by asbestos insulation and forming a panel of 1 in. thick-

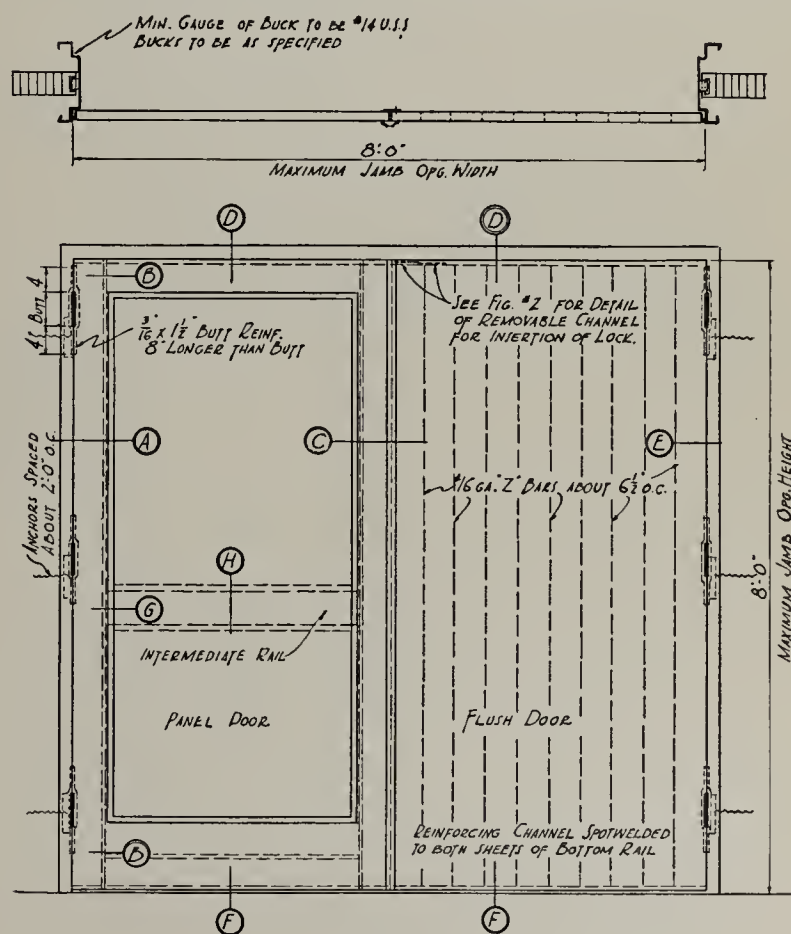


Figure 1

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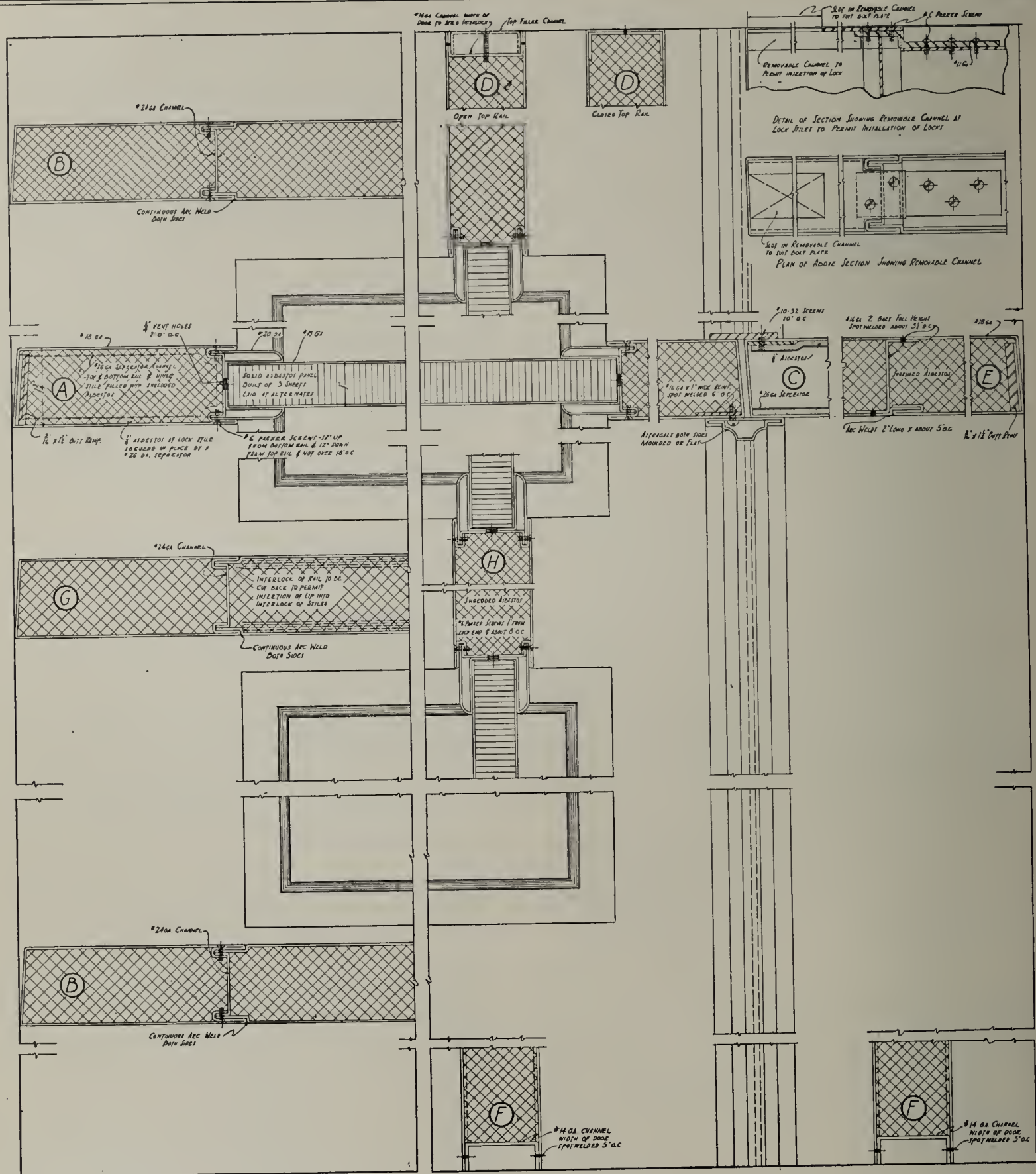


Figure 2

ness which enters the groove in the panel moulding, see figures 1 and 2. The details of the joint between the rails and stiles are shown in figure 2. The rails and stiles are joined together by a seam formed in the outer edge of the stiles into which the ends of the rails are placed. A channel is also inserted as shown in figure 2 and the assembly is welded together along the seams on each face. The insulation for the panels consist of $\frac{7}{8}$ in. sheet asbestos cemented to the panel with silicate of soda, while in the rails and stiles the spaces are filled with shredded asbestos except at the lock stile which is lined with $\frac{1}{8}$ in. sheet asbestos to permit insertion of lock.

SUPERIOR FLUSH TYPE DOOR

This door is of hollow steel construction with overall dimensions of 7 ft. 11 $\frac{1}{2}$ in. x 3 ft. 11 $\frac{13}{16}$ in. and of details and fabrication as follows:

The door is made up of two 16 gauge steel sheets, each sheet forming part of one face and vertical edge and joined as shown in figures 1 and 2 with top and bottom construction as shown on figures 1 and 2 showing the inserted channel with its legs secured to the face plates and extending the entire width of the door along the top and bottom. Vertical reinforcements consist of 16 gauge Z bars spaced at centers not more than 6 $\frac{1}{2}$ in. and secured to the steel facing sheets

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as shown on figure 2 with insulation of loose asbestos packed solid between the Z bars, except at lock space, which is lined with $\frac{1}{8}$ in. sheet asbestos to permit insertion of lock. The buck frame was of 14 gauge with a $\frac{3}{4}$ in. stop at the jamb and head. The jambs extend into the masonry at the sill adjustable non-removable anchors spaced as shown in figures 1 and 3 are in the jambs of the frame.

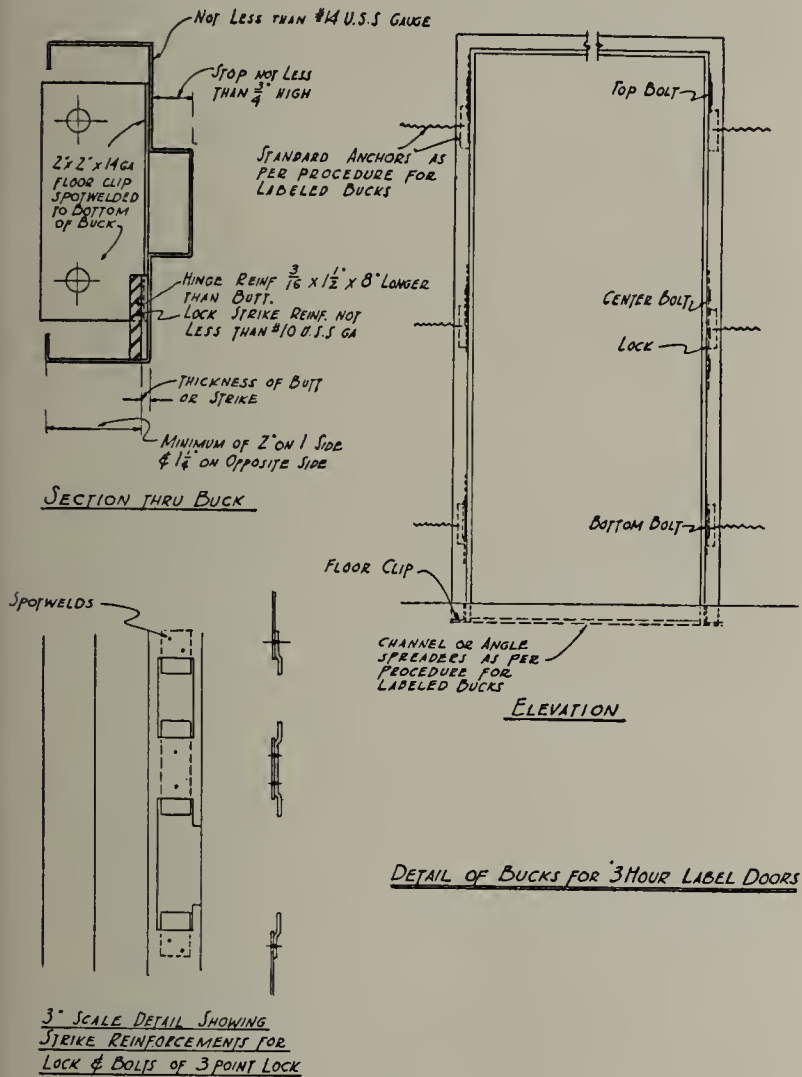


Figure 3

Hardware, Locks and Astragal: Each door was equipped with four 5 in. ball bearing steel hinges with leaves of the hinge. 180 in. steel and secured to reinforcements on the hinge stiles of the door sections and jambs of the frame. The lock on the active door was a three point lock inserted into the lock stile. When in the thrown position the bolts enter the sockets in the lock stile of the inactive door. This latter door had two point locking mechanisms made up of a vertical bolting mechanism extending into the keepers of the head of the frame and in the sill when in a locked position. The bolts meshing with the adjacent door extend into the sill and head of the frame and are of steel with outer trim of bronze. The astragals, one on each door section extend $\frac{3}{4}$ in. beyond the edge of door and secured to the lock stile as shown in figure 2.

FIRE TESTS

Fire tests in accordance with the time temperature curve of the Administrative Building Code were conducted for a period of three hours on the panel and flush doors with a $1\frac{1}{2}$ in. x 7 ft. $11\frac{1}{2}$ in. astragal making a test assembly 8 ft. x 8 ft. (see Fig. 1) placed in a 12 in. brick wall. The doors, bucks and astragals were painted on both sides. After seasoning of wall both doors were found to be in perfect working order and then subjected to the test which was

witnessed by a committee of the board. The top and astragal clearances of the doors were about $\frac{1}{8}$ in. while at the bottom at the sill it was about $\frac{3}{16}$ in.

With the test panel in position the gas fire was started exposing one side of the test assembly to the flames for a period of three hours in accordance with the requirements of the time-temperature curve. After three hours the test panel was withdrawn from the furnace and the exposed side was subjected to the impact and cooling action of a 30# water stream applied for 1 minute 38 seconds in accordance with the provisions of C26-586.0 Administrative Building Code (10.1.9).

OBSERVATIONS DURING TEST

The time temperature curve was unusually well approximated during the entire 3 hour test reaching at the end a temperature of 1950° F. The paint ignited on the exposed surfaces during the first minute of the test. During the first ten minutes of the test the exposed surfaces indicated a little buckling and bulging toward the fire and had but little detrimental effect on the door during the ensuing period of the test. At 110 minutes a light irregular bulging was noticed in the vertical frame members adjacent to the hinges, but it was not progressive. The hardware and frame otherwise remained in position throughout the test.

The unexposed surface outside of the blistering of the paint and a slight bowing toward the fire of the top horizontal edges of each door section were observed during the early stages of the test. There also was a small amount of smoke let through at this point along the hinge edge of the flush door. At 25 minutes the doors had expanded, and were resting on the sills. At 30 minutes a slightly irregular buckling of the hinge stiles was noticed but there was no flame passing through at this point. The active or flush door pulled away slightly from the inactive door at the center and at 2 hours, 45 minutes this unequal bulging reached a maximum of about $\frac{3}{4}$ in. The maximum bulging of the test assembly occurred at the end of the test with a bulge of 2 in. on the panel door, $3\frac{5}{8}$ in. on the astragal and $2\frac{1}{4}$ in. on the flush door.

After the test the door was subjected to the water stream which had the effect of reducing the bulge effects towards the fire, with no other effect on the test assembly.

The pressure of the furnace chamber varied slightly during the test, at the start it was 0.195 in., two minutes later it was 0.255 in. and after 30 minutes and thereafter it remained as 0.275 in.

CONCLUSIONS

There was no passage of flame or smoke through or around the doors in any significant amount throughout the test period. The effect of the hose stream tended to reduce the bulges in the test panel, and the impact and excessive effects of the water stream were well withstood.

The results of the test insofar as the requirement of C26-610.0 Administrative Building Code (10.1.18), insofar as the temperature rise at the end of 45 minutes not exceeding an increase of 650° F. were as follows: The panel type door, the temperature at the end of 45 minutes was 201° F. and for the flush type door it was 667° F. Taking account of the initial starting temperature of 70° F., both doors met the requirements of this provision.

RECOMMENDATIONS

On the basis of the foregoing tests, meeting the requirements of C26-610.0 Administrative Building Code (10.1.18), the Committee recommends the approval of the Superior Panel Type and the Superior Flush Type doors when constructed of the exact details, sizes and specifications as provided for herein and when used alone, or in pairs with astragal for a three-hour opening protective assembly under C26-660.0 Administrative

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Building Code (10.8.1) Protection of openings in fire walls wherein a three hour fire resistive rating is required.

Approval is also recommended of the doors as provided herein for use in openings requiring a lower fire resistive rating when constructed and equipped as described above, for use in fire partitions under C26-661.0 Administrative Building Code (10.8.2) and C26-665 Administrative Building Code (10.8.5) where a $1\frac{1}{2}$ hour fire resistive rating is required, and for use as an opening protection assembly under the provisions of the Multiple Dwelling Law wherein the requirements of a door for use in a fireproof partition is a one-hour fire resistance rating, and for fireproof partitions C26-662.0 Administrative Building Code (10.8.3) wherein a $\frac{3}{4}$ hour fire resistive door is required. Each door section for a fire resistive rating of 1 hour or less may be equipped with $4\frac{1}{2}$ in. by $4\frac{1}{2}$ in. steel butts, and throw bolts on the inactive door for attachment to sill and lintel while a single point lock with $\frac{3}{4}$ in. throw may be provided on the active door.

HARDWARE FOR SINGLE DOORS

The hardware for the fire resistive ratings for the 3 and $1\frac{1}{2}$ hour doors where used individually shall be equipped with a three point locking mechanism and steel butts as specified. Doors exceeding 5 ft. 0 in. in height shall be provided with 1 hinge for each 2 ft. 6 in. of height or fraction thereof.

It is further recommended that in whatever Borough these doors are furnished, the applicant shall notify the superintendent of buildings of his intent to furnish doors so that examination can be made for compliance with the requirements of this approval, or in lieu thereof, such doors may be inspected and labelled by the Underwriters' Laboratories, who performed this test, or any other inspection agency acceptable to the board. Each door when found by the superintendent as meeting the requirements of this approval shall have a metal label affixed thereon reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 420-39-SM or in lieu thereof a die or stamp be made and each unit shall bear the following inscription within a circle: around the periphery, at the top, the word "App'vd"; along the bottom, "B. S. & A."; in the center, two lines, UPPER line reading, "N. Y. C.", LOWER line reading, "Cal. No. 420-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Superior Hollow Metal Panel Type and Flush Type Door, Class "A" (3 hr. fire door), *on condition* that the material be manufactured, installed and labelled in accordance with above report.

Meeting recessed at 5:40 p.m. to July 6, 1939 at 10 a.m.
Reconvened July 6, 1939, adjourned 5:50 p.m.

EDWARD V. BARTON, *Chief Clerk*.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, May 23, 1939, as they appeared in Bulletin No. 22, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(630-38-BZ)

WHEREAS, Bethlehem Engineering Corporation, for Mutual Life Insurance Company, owner, filed July 15, 1938, an application under the building zone resolution to per-

mit partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and garage for more than five (5) motor vehicles, affecting premises 118-134 Park avenue, west side, from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan; and

WHEREAS, this application was granted September 27, 1938, the following resolution being adopted:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under sections 7-B, 7-C and 7-G, to permit the construction and use of the building substantially as indicated on plans and proposal filed with this application for use as an air-line bus terminal, air-line bus storage, motion picture theatre having not over 599 seats, and the transient storage of more than five (5) motor vehicles, *on condition* that the building shall be constructed throughout with Class One construction; that the building shall be faced with limestone or other natural stone on facades of all streets; that the elevators used for the air-line buses shall be entirely enclosed and separated from the balance of the building with fireproof materials; that the space to be used for the storage of automobiles shall be entirely separated from balance of building with fireproof construction with its own legal fireproof stairways independent of any other occupancy, leading directly to the street; that this portion of the building shall be protected with a two-source sprinkler system and a standpipe system and equipped with a system of mechanical ventilation of supply and exhaust in all parts; that the space beyond the building line used in connection therewith, shall be subject to proper license and franchise issued by the Borough President or any other city department authorized to issue same; that the approval of the Board of Transportation shall be obtained for the construction and use in connection with adjoining subway; that no storage of gasoline shall be permitted in the premises except in the individual tanks of the automobiles; that only motor vehicles of the pleasure car type shall be stored; that no servicing or repairing of automobiles whatever shall be conducted on the premises; that the theatre shall be separated from the balance of the building by fireproof construction with its own independent, legal exits to Park avenue and East 42nd street; that an additional pent-house story next above the waiting room, may be constructed for occupancy as office space in connection with the general uses of the building; that signs shall be restricted against any roof signs and any illuminating signs advertising the theatre or air-line bus use and permitting only such signs as would normally be required for the tenants of the building, except there may be erected on East 41st street, a sign advertising the parking use, which may extend beyond the building line for a distance not over two (2) feet and bearing the word "Parking" with an arrow pointing to the parking entrance; that this sign shall not exceed an area of 20 sq. ft.; that the uses as herein permitted shall continue only so long as the main occupancy of the building is for the offices and bus station of the Air Line; that the complete working drawings shall be submitted to the chairman of the board so that the board may consider any additional conditions, if necessary, before same are filed with the borough superintendent of buildings; that such plans shall be filed within sixty (60) days; and that all permits shall be obtained and all work shall be completed within one year after the approval of such plans by the board";

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WHEREAS, applicant has now submitted complete working drawings.

Resolved, that the plans, marked "Received May 17, 1939" be and they hereby are *approved*, as generally in compliance with the requirements of the resolution adopted by the board on *September 27, 1938*; that the building shall be faced with limestone, as shown on plans, except such portions where plans indicate architectural terra cotta, and that the parking and storage of motor vehicles, as permitted under the resolution, shall be omitted, except insofar as it has reference to the parking and storage of the Air Line Buses.

*Correction—The date "May 17, 1939," changed to "*September 27, 1938*," in lines 12 and 85 of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, May 23, 1939, as they appeared in Bulletin No. 22, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(736-38-BZ)

WHEREAS, Francis T. Christy, for Rockefeller Center, Inc., lessee, and The Trustees of Columbia University in the City of New York, owner, filed August 16, 1938, an application under the building zone resolution to permit in a retail use district, the erection and maintenance of a building to be occupied as a garage for more than five (5) motor vehicles and offices; premises: 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan; and

WHEREAS, this application was granted by the board October 4, 1938, on certain conditions, plans approved December 6, 1938 and applicant requested an amendment, as to the sprinkler system.

Resolved, that the resolution adopted by the board on October 4, 1938, as amended by resolution adopted December 6, 1938, be and it hereby is *amended*, only so far as it has reference to the sprinkler system, so that as amended, the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7g thereof, to permit that portion of the

proposed building to be used as a non-storage garage, as indicated on plans filed with this application, together with the space shown as a proposed bus terminal, *on condition* that there shall be no bus terminal on the premises or any entering or exiting of buses on the premises; that the portion of the building used for a non-storage garage shall be protected with a 2-source sprinkler system *consisting of a connection to the street main on each street front which need not exceed 6 inches in diameter* and standpipe system and shall be separated from all other parts of the building by fire-proof construction; *that the sprinkler heads may be omitted at the entrances for a distance from the entrance doors not exceeding 12 ft.*; that an addition, such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that the exterior of the building shall be, as represented, in conformity as to design and exterior materials with the adjacent buildings of Rockefeller Center; that the present permitted parking use granted under Cal. No. 487-37-BZ shall be terminated upon the commencement of excavation for this proposed building; that at all times during the operation of the garage, there shall be an attendant stationed on 49th street and one on 48th street, to direct the entering and exiting of automobiles; that only automobiles of the pleasure-car type shall be stored in the garage; that there shall be no storage of gasoline within this portion of the building, except in the tanks of the cars and no servicing or repairing of motor vehicles; that the garage area shall be ventilated throughout with a supply and exhaust system of ventilation to provide not less than four changes of air per hour; that prior to filing complete working drawings with the borough superintendent, such plans shall be submitted to the board for examination and for the imposition of any additional conditions as may be deemed necessary; that such plans shall be submitted within six months and all permits shall be obtained and all work completed within one year after plans are approved by the board, as in compliance with the terms of the resolution as it may be amended.

"*Resolved further*, that the Board of Standards and Appeals does hereby *approve* the plans filed in connection with this application as being in accordance with the resolution of the board adopted October 4, 1938."

*Correction—The last paragraph added to the resolution.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Copies of the Official Directory of the City of New York for the year 1939 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Borough Superintendent of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

- 2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.
- 2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.
- 2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.
- 2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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- 3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.
- 3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

- 4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.
- 4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.
- 4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.
- 4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.
- 4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.
- 4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.
- 4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.
- 4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

- 4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.
- Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

- 4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.
- 4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$) inch.
- 4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.
- 4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.
- 4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.
- 4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.
- 4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.
- 4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.
- 4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction.
- 4.4.1 Artificial lighting shall be only by means of electricity.
- 4.5 LIGHTING FIXTURES.
- 4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

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- 4.5.2 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

RULES

6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.

6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.

6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

Rule 1.3 Heating of Rooms.

Rule 3.1 Air Exhaust System.

3.2 Air Supply and Mixing.

Rule 4.1 Construction of Spray Booths.

4.1.3 Surfacing of Booths.

4.1.5 Surfacing of Booths.

4.2.2 Maintenance of Ducts.

4.2.5 Electric Lighting.

4.2.6 Method of Induced Draft.

4.4 Separation of Booth from Flame.

4.4 Location of Motors.

Rule 5.1 Certificate of Fitness.

5.2 Smoking, Matches, etc.

5.6 Maintenance of Equipment.

5.7 Cleaning Implements.

5.9 Fire Appliances.

5.10 Accumulation and disposal of waste materials.

5.12 Motor Vehicles in booths or rooms.

Rule 6. Storage and Mixing.

Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Automatic Paint Sprayer.....477-37-SA.
Binks-Hu-Ro-Thor-Hurley Spray Equipment...338-32-SA.
De Vilbiss Spray-Painting Equipment.....336-32-SA.
Eclipse Spray Painting Equipment.....151-38-SA.
Eureka Paint Sprayer.....478-37-SA.

Milburn Spray Painting Equipment.....492-38-SA.
Paasche Spray Painting Equipment.....363-32-SA.
Sharpe Spray Guns, Models B-21, C-21, RA-21,
RC-21, GA-37, GC-37, Bear-Cat, K, KF, KO,
L, M-2, M-4, FA-36 and FC-36.....604-38-SA.
Spraco Spray Painting Equipment.....479-32-SA.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood joisted floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET

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893-39-BZ....H.B.M.....93 Market Slip and 432 Water street, northeast corner (Block No. 250, Lot No. 61), Borough of Manhattan, N.B. 111-39.

894-39-A.....H.B.B.....2601-2691 West Second street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue Z and 2602-2686 West street (Block No. 7234B, Lot No. 1 and Block No. 7235A, Lot Nos. 1, 2 and 75), Borough of Brooklyn. Applic. 1410-39 (Under Section 35, General City Law re Bed of Mapped Street).

895-39-A.....H.B.B.....1125 Ditmas avenue and 520-530 Westminster road, northwest corner (Block No. 5175, Lot No. 40), Borough of Brooklyn, Alt. 2753-39.

896-39-A.....H.B.B.....163 Remsen street, north side, 237 ft. east of Clinton street (Block No. 250, Lot No. 13), Borough of Brooklyn, Alt. 1547-39.

897-39-BZ....H.B.M.....613 West 169th street, north side, 141 ft. 1 in. west of Broadway (Block No. 2138, Lot No. 168), Borough of Manhattan, N.B. 114-39.

898-39-A.....F.D.....Manufacture, transportation, storage, use and sale of Anti-Freeze, known as "Willard Anti-Freeze" and "Willard Odorless Anti-Freeze", in non-refillable cans in New York City, Decision.

899-39-A.....H.B.Q.....41-24 and 41-26 43rd street, west side, 216 ft. south of Skillman avenue (Block No. 159, Lot No. 28), Long Island City, Borough of Queens, N.B. 4159-39, N.B. 4160-39 and N.B. 4640-39.

900-39-A.....H.B.B.....74-12 88th street, west side, 208.-59 ft. north of Montauk Division of L. I. R. R. (Block No. 3838, Lot No. 54 and Block No. 3839, Lot No. 67), Glendale, Borough of Queens, Misc. Applic. 3285-39.

901-39-A.....H.B.Q.....40-18 Hampton street, south side, 100 ft. 1½ in. east of Baxter avenue (Block No. 1505, Lot Nos. 12, 176, 177 and part of Lot No. 7), Elmhurst, Borough of Queens, N.B. 2530-39.

902-39-A.....H.B.B.....7 and 8 Court Square, east side, 109 ft. 10 in. north of Livingston street (Block No. 153, Lot No. 6), Borough of Brooklyn, Alt. 605-39.

903-39-A.....F.D.....19 Wyckoff avenue, northwest corner of Troutman street (Block No. 3177, Lot No. 1), Borough of Brooklyn, 79502-L.C.

904-39-BZ....H.B.B.....595-597 Quincy street, north side, 200 ft. east of Lewis avenue (Block 1625, Lot No. 73), Borough of Brooklyn, Alt. 765-39.

905-39-S.....H.B.B.....1-11 Doughty street, 1-3 Furman street and 8-10 Fulton street, southeast corner of Furman street (Block No. 200, Lot No. 1), Borough of Brooklyn, Exit Viol. 49-39 and Decision.

906-39-A.....H.B.M.....419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan, Decision re Viol. 2223-38.

907-39-A.....H.B.M.....112 Park avenue, west side, from East 40th street to East 41st street, 31-41 East 40th street and 56-62 East 41st street (Block No. 1275, Lot Nos. 27 and 43), Borough of Manhattan, N.B. 127-39.

908-39-A.....H.B.M.....743-765 Lexington avenue, east side, from East 59th street to East 60th street, 135-163 East 59th street, 140-176 East 60th street and 990-1008 Third avenue (Block No. 1394, Lot No. 23), Borough of Manhattan, Alt. 1742-39.

909-39-A.....F.D.....166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens, 990-L.F. and Decision.

910-39-A.....F.D.....107-11 Myrtle avenue, north side, 21 ft. west of Bridge street (Block No. 143, Lot No. 30), Borough of Brooklyn, 79399-L.C. and Decision.

911-39-BZ....H.B.M.....446-470 West 33rd street and 396-402 Tenth avenue, southeast corner (Block No. 730, Lot Nos. 74-83 inclusive and 85-89 inclusive), Borough of Manhattan, Decision re Certificate of Occupancy.

912-39-SA.....Humphrey Heat Tower (Gas-fired Forced Air Heater), Appliance.

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- 913-39-A.....H.B.Q.....29-19 24th avenue, north side, 95 ft. west of 31st street (Block No. 842, Lot No. 6), Long Island City, Borough of Queens,
Misc. Applic. 962-39.
- 914-39-A.....H.B.B.....1463 56th street, north side, 150 ft. west of 15th avenue (Block No. 5685, Lot No. 47), Borough of Brooklyn,
Alt. 2708-39.
- 915-39-SA....."Naco" Pressure Type Oil Burner, Appliance.
- 916-39-A.....H.B.Q.....54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens,
Alt. 7352-39.
- 917-39-A.....H.B.M.....632 Madison avenue and 21 East 59th street, northwest corner (Block No. 1374, Lot No. 14), Borough of Manhattan,
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- 918-39-A.....F.D.....64-88 Nostrand avenue and 563-569 Park avenue, northwest corner (Block No. 1718, Lot No. 1), Borough of Brooklyn, 1138-L.F. and Decision.
- 919-39-A.....H.B.M.....121 West 42nd street, north side, 249 ft. 11 $\frac{3}{4}$ in. west of Sixth avenue and 118-122 43rd street (Block No. 995, Lot Nos. 22, 42 and 44), Borough of Manhattan, F.P. 447-39.
- 920-39-SM.....Blaz-Gard One and One-Half Hour Kalamein Door, manufactured by Greenpoint Metal Covered Door Company,
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- 921-39-A.....H.B.B.....Interpretation of Section C26-1206-O Administrative Code (14.1.13 Building Code) re Plumbing System, Waste Lines,
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- 922-39-A.....H.B.B.....Interpretation of Section C26-1206-O Administrative Code (14.1.13 Building Code) re Plumbing System, Waste Lines,
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- 923-39-A.....H.B.B.....176 Fifth avenue, west side, 119 ft. 6 in. north of Sackett street (Block No. 949, Lot No. 47), Borough of Brooklyn,
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- 924-39-A.....H.B.B.....72-76 Grand avenue, west side, 120 ft. north of Park avenue (Block No. 892, Lot No. 48), Borough of Brooklyn,
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- 925-39-A.....H.B.M.....220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan,
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- 926-39-SA.....Humidaire Gas-Fired Humidifier, Appliance.
- 927-39-BZ....H.B.Bx....654 City Island avenue, southeast corner of Bridge street (Block No. 5636, Lot No. 31), City Island, Borough of The Bronx,
Decision re Certificate of Occupancy.
- 928-39-SM.....Masterbilt Neon Truck Sign for Six-Volt Operation, manufactured by E. E. Souther Iron Company, Material.
- 929-39-BZ.....H.B.Q.....97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens,
Alt. 1510-39.
- 930-39-SM.....Wheeling Long Span Steel Floor and Roof Deck, manufactured by Wheeling Corrugating Company, Material.
- 931-39-A.....H.B.B.....568 Atlantic avenue (570 displayed), south side, 97 ft. 10 in. west of Fourth avenue (Block No. 186, Lot No. 32), Borough of Brooklyn,
Alt. 2767-39.
- 932-39-A.....H.B.Q.....209-12, 209-16 and 209-20 116th road, southwest corner of Springfield boulevard and south side of 116th road, 40.03 ft. and 80.03 ft. west of Springfield boulevard (Block No. 13763, Lot Nos. 24-29 inclusive), St. Albans, Borough of Queens,
N.B. 5652-39, N.B. 5653-39 and N.B. 5654-39.
- 933-39-A.....H.B.Q.....209-11, 209-15 and 209-19 116th road, northwest corner of Springfield boulevard and north side of 116th road, 40.03 ft. and 80.03 ft. west of Springfield boulevard (Block No. 13763, Lot Nos. 34-39 inclusive), St. Albans, Borough of Queens,
N.B. 5655-39, N.B. 5656-39 and N.B. 5657-39.
- 934-39-A.....H.B.Q.....209-12, 209-16 and 209-20 116th avenue, southwest corner of Springfield boulevard and south side of 116th avenue, 40.03 ft. and 80.03 ft. west of Springfield boulevard (Block No. 13763, Lot Nos. 44-49

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inclusive), St. Albans, Borough of Queens,
N.B. 5658-39, N.B. 5659-39
and N.B. 5660-39.

935-39-A.....H.B.Bx.....330 Whitlock avenue, east side,
163.37 ft. north of East 141st
street (Block No. 2599, Lot
No. 155), Borough of The
Bronx, Alt. 249-39.

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30-35-SA.....Hydrolator Hose Valve, Types
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848-39-A.....F.D.....35-39 West 33rd street, north
side, 277 ft. 3 in. east of
Broadway (Block No. 835,
Lot No. 15), Borough of
Manhattan,
3295-L.F. and Decision.

855-39-A.....H.B.M.....717-723 East 12th street, north
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D and 716-722 East 13th
street (Block No. 382, Lot
No. 22), Borough of Man-
hattan, N.B. 31-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.E.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—Depart-
ment of Housing and Buildings, Queens; H.B.R.—Department of
Housing and Buildings, Richmond; H.B.Bx.—Department of Housing
and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire
Department.

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Certificate of Occupancy, approved form.....	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime).....	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules.....	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24
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JULY 18, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions
of the building zone resolution, *Tuesday morning, July*
18, 1939, at 10 o'clock, in Room 1013, Municipal Building,
Manhattan, on the following matters:

CAL. NO. 200-33-BZ—Application of Herman Glicker, ap-
plicant and lessee, on behalf of Con-
solidated Edison Company of New
York, Inc., owner, reopened May 23,
1939, under new proposal, under sec-
tion 7h of the building zone resolution,
to permit in a business use district, for
a temporary period of not more than
two (2) years, the parking and storage
of more than five (5) motor vehicles;
premises 2153-2155 First avenue and
331-337 East 111th street, northwest
corner (Block No. 1683, Lot No. 18),
Borough of Manhattan.

CAL. NO. 411-39-BZ—Application, March 31, 1939, under
section 21 of the building zone resolu-
tion, of Lama and Proskauer, appli-
cants, on behalf of Violet Bazerman,
owner, to permit in a business use dis-
trict, the extension of an existing gaso-
line service station; premises 2932-2936
Ocean parkway, southwest corner of
Sheepshead Bay road (Block No. 7282,
Lot Nos. 1 and 4), Borough of Brook-
lyn.

CAL. NO. 833-39-BZ—Application, June 21, 1939, under sec-
tion 7b of the building zone resolution,
of Board of Education, City of New
York, applicant and owner, to permit
partly in a business use district and
partly in a residence use district, the
conversion of occupancy of a building
used as a Public School to a Borough
Office of the Board of Education;
premises 142-06 37th avenue (Washing-
ton street), southeast corner of Union
street (Block No. 5011, Lot No. 8),
Flushing, Borough of Queens.

CAL. NO. 502-39-BZ—Application, April 20, 1939, under sec-
tion 21 of the building zone resolution,
of George Alexander, Jr., applicant, on
behalf of First Baptist Church, owner,
to permit in a residence use and "D"
area district, the erection of an exten-
sion to an existing building (Church)—
said extension not conforming with the
area requirements of the building zone
resolution; premises 2349 - 2353 East
15th street, east side, 250 ft. north of
Avenue X (Block No. 7400, Lot No.
56), Borough of Brooklyn.

CAL. NO. 297-39-BZ—Application, March 8, 1939, under sec-
tion 21 of the building zone resolution,

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of Ervin Palmer, applicant, on behalf of Wilson and Company, Inc., owner (H. Chazen, Inc., lessee), to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 842 First avenue and 400 East 47th street, southeast corner (Block No. 1358, part of Lot No. 47), Borough of Manhattan.

Gerrish H. Milliken, owners (Xelphin V. Dugal and James Ellswick, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 750-756 St. Nicholas avenue, east side, 490 ft. south of West 150th street (Block No. 2053, Lot No. 44), Borough of Manhattan.

CAL. NO. 542-39-BZ—Application, May 1, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Benjamin B. Selvin, owner (Tide Water Associated Oil Company, lessee), to permit in a business use district, the extension of an accessory building on an existing gasoline service station; premises 50-01 to 50-03 Queens boulevard, northeast corner of 50th street (Block No. 1319, Lot No. 1), Woodside, Borough of Queens.

CAL. NO. 354-39-BZ—Application, March 21, 1939, under section 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Direct Realty Company, owner (Peter Woudine, lessee), to permit partly in a residence use district and partly in a business use district, the extension of an existing gasoline service station; premises 3525-3529 White Plains road, west side, 115.44 ft. north of Gunhill road (Block No. 4643, Lot No. 9), Borough of The Bronx.

CAL. NO. 432-39-BZ—Application, April 3, 1939, under section 7h of the building zone resolution, of Cornelius Callaghan, applicant, on behalf of Lexington Avenue and 40th Street, Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 96-50 Queens boulevard, south side, 150 feet east of 63rd drive (Block No. 3082, Lot No. 61), Forest Hills, Borough of Queens.

CAL. NO. 294-39-BZ—Application, March 8, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Alberta Realty Corporation, owner, to permit partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building occupied as a garage for more than five (5) motor vehicles and motor vehicle repair shop, so as to include a gasoline service station; premises 1523-1527 Bedford avenue, east side, 82 ft. $\frac{3}{8}$ in. north of Eastern parkway (Block No. 1260, part of Lot No. 5), Borough of Brooklyn.

CAL. NO. 302-39-BZ—Application, March 10, 1939, under sections 7b and 7c of the building zone resolution, of Joseph Mitchell, applicant, on behalf of Brooklyn and Queens Transit Corporation, owner (William Reike (United Auto Storage), lessee), to permit partly in an unrestricted use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, the maintenance of a gasoline service station; premises 68-02 Grand avenue, southeast corner of Brown place (Block No. 2776, part of Lot Nos. 1 and 6, parcel A), Maspeth, Borough of Queens.

CAL. NO. 271-39-BZ—Application, March 3, 1939, under section 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Inc., to permit in a business use district, the extension of an existing gasoline service station; premises 96-23 to 96-29 Queens boulevard, northeast corner of 63rd road (Old Mill road); (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens.

CAL. NO. 512-39-BZ—Application, April 25, 1939, under section 7c of the building zone resolution, of A. & M. Arrington, applicants, on behalf of Winrock Realty Company, owner, to permit partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (skating rink and bowling alleys); premises 687-699 Forest avenue, north side, 150 ft. west of Bement avenue (Block No. 168, Lot No. 60), West New Brighton, Borough of Richmond.

Appeal from Administrative Decision

511-39-A—687-699 Forest avenue, north side, 150 ft. west of Bement avenue (Block No. 168, Lot No. 60), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

CAL. NO. 444-39-BZ—Application, April 10, 1939, under section 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Josie Feruglio and Amanda Reiman, owners (Paul Reiman and Raymond Feruglio, operating as P and R Auto Service, lessees), to permit in a business use district, the extension and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 2781 Coney Island avenue, east side, 230 ft. south of Avenue Y (Block No. 7430, Lot No. 64), Borough of Brooklyn.

CAL. NO. 1047-38-BZ—Application, November 21, 1938, under section 7h of the building zone resolution, of Xelphin V. Dugal, applicant, on behalf of Seth M. Milliken and

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JULY 18, 1939, 2 P. M.

Appeals from Administrative Decisions

- 866-39-A—Southwest corner of Spencer place and Spencer place and west side of Spencer place, from 19 ft. to 228 ft. south of Spencer place (Block No. 3423-P, Lot Nos. 64 to 73, inclusive), Borough of The Bronx.
- 476-39-A—524 East 11th street, south side, 308 ft. east of Avenue A (Block No. 404, Lot No. 16), Borough of Manhattan.
- 673-39-A—Barge, 1500 ft. off shore, Soundview avenue and Classon Point, Borough of The Bronx.
- 726-39-A—From 108 North 6th street to 89, 91, 93, 95, 97, 99, 105, 109, 111, 113 and 115 North 6th street (Block No. 2326, Lot Nos. 27 to 34, inclusive, 36 to 40, inclusive), Borough of Brooklyn.
- 740-39-A—2081-2089 Broadway, northwest corner of West 72nd street (Block No. 1164, Lot No. 26), Borough of Manhattan.
- 819-39-A—North side of Richmond terrace, 580 ft. west of Bard avenue and opposite Davis avenue (Block No. 184, Lot No. 26), West New Brighton, Borough of Richmond.
- 847-39-A—Barge, 1000 ft. off shore, Atlantic Ocean, between the westerly line of Jacob Riis Park, Rockaway Beach and Beach 32nd street, Far Rockaway, Borough of Queens.
- 850-39-A—142-148 West 21st street, south side, 200 ft. east of Seventh avenue (Block No. 796, Lot No. 63), Borough of Manhattan.
- 870-39-A—25 East 78th street and 1010 Madison avenue, northwest corner (Block No. 1393, Lot No. 14), Borough of Manhattan.
- 696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.
- 405-39-A—960 East 173rd street, southeast corner of Vyse avenue (Block No. 2996, Lot No. 23), Borough of The Bronx.
- 788-39-A—South side of Lafayette avenue, between Alden avenue and Brighton avenue (Block No. 97, Lot No. 1), West New Brighton, Borough of Richmond.
- 386-37-A—4208 Manhattan avenue, west side, 590 ft. 11½ in. north of Neptune avenue (Block No. 7024, Lot No. 89), Borough of Brooklyn.
- 672-39-A—205 Lexington avenue, east side, 49 ft. 5 in. north of East 32nd street (Block No. 888, Lot No. 22), Borough of Manhattan.
- 699-39-A—40-22 Main street, northwest corner of 40th road (Block No. 5036, Lot No. 42), Flushing, Borough of Queens.
- 723-39-A—225 West 13th street, north side, 304 ft. 6 in. east of Greenwich avenue (Block No. 618, Lot No. 52), Borough of Manhattan.
- 752-39-A—245 Russell street, northeast corner of Meserole avenue (Block No. 2628, Lot No. 6), Borough of Brooklyn.
- 793-39-A—115 West Broadway and 148-152 Duane street, southeast corner (Block No. 146, Lot No. 12), Borough of Manhattan.
- 817-39-A—Northeast corner of Spuyten Duyvil parkway and Fieldston road (Block No. 3415-B, Lot No. 1), Borough of The Bronx.
- 852-39-A—Southwest corner of Western avenue and Richmond terrace (Block No. 1400, Lot No. 1), Port Ivory, Borough of Richmond.
- 454-32-A—22-32 East 16th street (Buckingham road), west side, 172 ft. 8¼ in. south of Caton avenue (Block No. 5076, Lot No. 14), Borough of Brooklyn.
- 71-39-A—49-61 Clymer street, north side, 165 ft. west of Wythe avenue (Block No. 2167, Lot Nos. 18 to 46, inclusive), Borough of Brooklyn.
- 386-39-A—41-45 Elliott place, northwest corner of Walton avenue (Block No. 2842, Lot No. 22), Borough of Brooklyn.
- 397-39-A-WF—126-01 to 126-09 Roosevelt avenue and 126-02 to 126-14 Willetts Point boulevard, northeast corner (Block No. 1833, Lot No. 117), Corona, Borough of Queens.
- 417-39-A—3651 Third avenue, west side, 180 ft. north of East 169th street (Block No. 2910, Lot No. 65), Borough of The Bronx.
- 461-39-A—2075 Grand Concourse, southwest corner of East 180th street (Apartment 1A); (Block No. 3160, Lot No. 20), Borough of The Bronx.
- 462-39-A—2075 Grand Concourse, southwest corner of East 180th street (Apartment 1E); (Block No. 3160, Lot No. 20), Borough of The Bronx.
- 501-39-A—168-02 Baisley boulevard, southeast corner of New York boulevard (Block No. None, Lot No. None); (Race track), Jamaica, Borough of Queens.
- 507-39-A—506-508 West 22nd street, south side, 100 ft. west of Tenth avenue and 507-509 West 21st street, north side, 100 ft. west of Tenth avenue (Block No. 693, Lot No. 28), Borough of Manhattan.
- 581-39-A—1510 Jessup avenue, east side, 884.8 ft. south of Featherbed lane (Block No. 2872, Lot Nos. 287, 293, 296, 298, 299 and 300), Borough of The Bronx.
- 626-39-A—13 East 42nd street, north side, 121 ft. east of Madison avenue and 18 East 43rd street (Block No. 1277, Lot No. 12), Borough of Manhattan.
- 698-39-A—115-23 Jamaica avenue and 86-28 116th street, northwest corner (Block No. 192, Lot Nos. 20 and 21), Richmond Hill, Borough of Queens.
- 771-39-A—East of McMullen avenue and south of Strickland avenue (Block No. 8470, part of Lot No. 430), Borough of Brooklyn.
- 873-39-A—110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn.
- 879-39-A—8513 18th avenue, east side, 76 ft. 3½ in. north of 86th street (Block No. 6344, Lot No. 3), Borough of Brooklyn.
- 880-39-A—Re Transportation of gasoline in tank truck (not of approved type) in New York City.
- 881-39-A—478 Bergen street, south side, 70 ft. 10 in. west of Flatbush avenue (Block No. 933, Lot No. 30), Borough of Brooklyn.
- 883-39-A—155 Columbus avenue, southeast corner of West 67th street (Block No. 1119, Lot No. 19), Borough of Manhattan.

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- 884-39-A—81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens.
- 888-39-A—9 Bay 32nd street, east side, 80 ft. south of 86th street (Block No. 6383, Lot No. 35), Borough of Brooklyn.
- 889-39-A—1-9 West 88th street and 281-283 Central Park West, northwest corner (Block No. 1202, Lot No. 29), Borough of Manhattan.
- 890-39-A—511 Joline avenue (Block No. None, Lot No. None), Tottenville, Borough of Richmond.
- 891-39-A—137 Reade street, south side, 123 ft. west of Hudson street (Block No. 140, Lot No. 28), Brough of Manhattan
- 895-39-A—1125 Ditmas avenue and 520-530 Westminster road, northwest corner (Block No. 5175, Lot No. 40), Borough of Brooklyn.
- 896-39-A—163 Remsen street, north side, 237 ft. east of Clinton street (Block No. 250, Lot No. 13), Borough of Brooklyn.
- 898-39-A—Re Manufacture, transportation, storage, use and sale of Anti-Freeze, known as "Willard Anti-Freeze" and "Willard Odorless Anti-Freeze" in non-refillable cans in New York City.
- 899-39-A—41-24 and 41-26 43rd street, west side, 216 ft. south of Skillman avenue (Block No. 159, Lot No. 28), Long Island City, Borough of Queens.
- 900-39-A—74-12 88th street, west side, 208.59 ft. north of Montauk Division of Long Island Railroad (Block No. 3838, Lot No. 54 and Block No. 3839, Lot No. 67), Glendale, Borough of Queens.
- 902-39-A—7 and 8 Court square, east side, 109 ft. 10 in. north of Livingston street (Block No. 153, Lot No. 6), Borough of Brooklyn.
- 903-39-A—19 Wyckoff avenue, northwest corner of Troutman street (Block No. 3177, Lot No. 1), Borough of Brooklyn.
- 906-39-A—419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan.
- 907-39-A—112 Park avenue, west side, from East 40th street to East 41st street, 31-41 East 40th street and 56-62 East 41st street (Block No. 1275, Lot Nos. 27 and 43), Borough of Manhattan.
- 908-39-A—743-765 Lexington avenue, east side, from East 59th street to East 60th street, 135-163 East 59th street, 140-176 East 60th street and 990-1008 Third avenue (Block No. 1394, Lot No. 23), Borough of Manhattan.
- 909-39-A—166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens.
- 910-39-A—107-11 Myrtle avenue, north side, 21 ft. west of Bridge street (Block No. 143, Lot No. 30), Borough of Brooklyn.
- 913-39-A—29-19 24th avenue (Woolsey avenue), north side, 95 ft. west of 31st street (Block No. 842, Lot No. 6), Long Island City, Borough of Queens.
- 914-39-A—1463 56th street, north side, 150 ft. west of 15th avenue (Block No. 5685, Lot No. 47), Borough of Brooklyn.
- 916-39-A—54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens.
- 917-39-A—632 Madison avenue and 21 East 59th street, northwest corner (Block No. 1374, Lot No. 14), Borough of Manhattan.
- 918-39-A—64-88 Nostrand avenue and 563-569 Park avenue, northwest corner (Block No. 1718, Lot No. 1), Borough of Brooklyn.
- 919-39-A—121 West 42nd street, north side, 249 ft. 11¾ in. west of Sixth avenue (Block No. 995, Lot Nos. 22, 42 and 44), Borough of Manhattan.
- 923-39-A—176 Fifth avenue, west side, 119 ft. 6 in. north of Sackett street (Block No. 949, Lot No. 47), Borough of Brooklyn.
- 932-39-A—209-12, 209-16 and 209-20 116th road, southwest corner of Springfield boulevard and south side of 116th road, 40.03 ft. and 80.03 ft. west of Springfield boulevard (Block No. 13763, Lot Nos. 24 to 29, inclusive), St. Albans, Borough of Queens.
- 933-39-A—209-11, 209-15 and 209-19 116th road, northwest corner of Springfield boulevard and north side of 116th road, 40.03 ft. and 80.03 ft. west of Springfield boulevard (Block No. 13763, Lot Nos. 34 to 39, inclusive), St. Albans, Borough of Queens.
- 934-39-A—209-12, 209-16 and 209-20 116th avenue, southwest corner of Springfield boulevard and south side of 116th avenue, 40.03 ft. and 80.03 ft. west of Springfield boulevard (Block No. 13763, Lot Nos. 44 to 49, inclusive), St. Albans, Borough of Queens.
- 935-39-A—330 Whitlock avenue, east side, 163.67 ft. north of East 141st street (Block No. 2599, Lot No. 155), Borough of The Bronx.
- 936-39-A—Re transportation of gasoline in tank trucks (not of approved type) in New York City.
- 1202-38-A—225 West 86th street, 2360-2378 Broadway and 540-546 Amsterdam avenue (Block No. 1234, Lot No. 19), Borough of Manhattan.
- 402-39-A—186-188 Elizabeth street and 11 Spring street, northeast corner (Block No. 492, Lot No. 44), Borough of Manhattan.
- 939-39-A—711-713 Columbus avenue, east side, 25 ft. 8½ in. south of West 95th street (Block No. 1225, Lot Nos. 62 and 63), Borough of Manhattan.
- 942-39-A—125-20 150th avenue, southwest corner of 126th street (Block No. 2703, Lot Nos. 36 and 38), South Ozone Park, Borough of Queens.
- 943-39-A—200-214 Madison avenue, west side, from East 35th street to East 36th street, 13-17 East 35th street and 12-18 East 36th street (Block No. 865, Lot No. 14), Borough of Manhattan.
- 944-39-A—East Bank of Harlem River, 128 ft. south of West 171st street (Block No. 2541, Lot Nos. 126-132), Borough of The Bronx.
- 945-39-A—60 Hester street, south side, 43 ft. 6 in. west of Ludlow street (Block No. 298, Lot No. 15), Borough of Manhattan.
- 946-39-A—29-30 and 29-32 150th street, northwest corner of Bayside avenue (Block No. 4815, Lot No. 30), Flushing, Borough of Queens.

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- 949-39-A—Southeast corner of East 136th street and Locust avenue (Block No. 2595, Lot No. 1), Borough of The Bronx.
- 952-39-A—679-723 Court street, southeast corner of Bryant street (Block No. 624, Lot No. 1), Borough of Brooklyn.
- 954-39-A—21 Hinckley place, north side, 140 ft. east of East 8th street (Block No. 5342, Lot No. 28), Borough of Brooklyn.
- 955-39-A—93-29 170th street, east side, 78 ft. north of Douglas avenue (Block No. 1177, Lot No. 102), Jamaica, Borough of Queens.
- 956-39-A—158-162 Southern boulevard, east side, 21.28 ft. south of East 135th street (Block No. 2563, Lot No. 1), Borough of The Bronx.
- 957-39-A—2101-2109 86th street and 8513-8523 21st avenue, northeast corner (Block No. 6347, Lot Nos. 1, 75 and 76), Borough of Brooklyn.
- 958-39-A—Blocks bounded by Centre street, White street, Baxter street and Leonard street (Block No. 167, Lot Nos. 1 to 51, inclusive), Borough of Manhattan.
- 345-39-A—72-17 and 72-19 Austin street, north side, 55.10 ft. east of Roman avenue (Block No. 3258, Lot No. 28), Forest Hills, Borough of Queens.
- 683-39-A—42-60 Stewart avenue, southwest corner of Ingraham street (Block No. 3001, Lot No. 1), Borough of Brooklyn.
- 965-39-A—66 87th street, south side, 325 ft. east of Narrows avenue (Block No. 6064, Lot No. 19), Borough of Brooklyn.
- 966-39-A—610-652 Henry street, west side, 106 ft. 13/8 in. north of Cole street (Public School No. 142); (Block No. 369, Lot Nos. 1 to 46, inclusive), Borough of Brooklyn.
- 967-39-A—769-827 Empire boulevard, north side, 100 ft. east of Troy avenue (Block No. 1423, Lot Nos. 14, 15, 16, 19, 20, 21, 22, 35, 41, 43, 45, 47, 49, 50, 51, 52, 55 and 63); (Public School No. 221), Borough of Brooklyn.
- 968-39-A—47-65 West 42nd street and 1100-1108 Sixth avenue, northeast corner (Block No. 1258, Lot No. 1), Borough of Manhattan.
- 808-39-A—35-49 to 35-55 73rd street, east side, 100 ft. north of 36th avenue (Block No. 3200, Lot Nos. 35 and 55), Jackson Heights, Borough of Queens.
- 172-39-A—18-22 Broadway, south side, 51 ft. 9 in. east of Kent avenue (Block No. 2129, Lot No. 10), Borough of Brooklyn.
- 959-39-A—119-121 West 57th street, north side, 246 ft. west of Sixth avenue (Block No. 1010, Lot No. 21), Borough of Manhattan.
- 961-39-A—80-11 189th street, east side, 80 ft. south of Union Turnpike (Block No. 7267, Lot No. 1), Flushing, Borough of Queens.
- 970-39-A—223-243 East 22nd street and 381-387 Second avenue, northeast corner (Block No. 903, Lot No. 27), Borough of Manhattan.
- 971-39-A—351-367 Fifth avenue, 188-198 Madison avenue, 3-19 East 34th street and 2-18 East 35th street (entire block); (Block No. 864, Lot No. 1), Borough of Manhattan.
- 972-39-A—8665-20th avenue, north side, 133 ft. west of Benson avenue (Block No. 6375, Lot No. 7), Borough of Brooklyn.
- 738-39-A—96 Liberty street, southeast corner of Trinity place (Block No. 50, Lot No. 17), Borough of Manhattan.
- 784-39-A—1732 Hancock street, south side, 80 ft. west of Seneca avenue (Block No. 3561, Lot No. 22), Ridgewood, Borough of Queens.
- 969-39-A—168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21 to 28, inclusive), Borough of Brooklyn.
- 975-39-A—93-97 Broad street, 57 Pearl street, northeast corner and 22 Stone street (Block No. 29, Lot No. 1), Borough of Manhattan.
- 976-39-A—50 West 225th street, south side, 661 ft. east of Broadway (Block No. 2215, part of Lot No. 700), Borough of Manhattan.
- 380-39-A—390-396 Fourth avenue, west side, 46.3 ft. north of East 27th street (Block No. 857, Lot No. 40), Borough of Manhattan.
- 984-39-A—245-251 Seventh avenue and 165 West 24th street, northeast corner (Block No. 800, Lot No. 1), Borough of Manhattan.
- 985-39-A—1610 Mahan avenue, northeast corner of Middletown road (Block No. 4173, Lot Nos. 29 and 33), Borough of The Bronx.
- 449-39-A—1526-1528 Bowery and 3029-3059 West 16th street, southeast corner (Block No. 7074, part of Lot No. 20), Borough of Brooklyn.
- 538-39-A—1324 Bowery and 3029 West 15th street, southeast corner (Block No. 7074, Lot No. 256), Borough of Brooklyn.
- 925-39-A—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.
- 953-39-A—487-493 Utica avenue, east side, 270 ft. north of Rutland road (Block No. 4591, Lot No. 58), Borough of Brooklyn.
- 733-39-A—177-181 Concord street, northeast corner of Duffield street (Block No. 109, Lot No. 25), Borough of Brooklyn.
- 886-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.
- 921-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.
- 922-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.
- Variations of Labor Law*
- 1156-38-S—661-663 Broadway, east side, 161 ft. 10 1/4 in. south of Varet street (Block No. 3112, Lot No. 5), Borough of Brooklyn.
- 905-39-S—8-10 Fulton street, 1-13 Furman street, southeast corner and 1-11 Doughty street (Block No. 200, Lot No. 1), Borough of Brooklyn.
- Building Zone Applications*

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

CALENDAR

of the building zone resolution, *Tuesday afternoon, July 18, 1939*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 805-39-BZ—Application, March 23, 1939, under section 21 of the building zone resolution, of Charles B. Meyers, applicant, on behalf of William M. Smith, owner, to permit in a residence use and also "E" area district, the erection and maintenance of a business building (stores)—also, said building does not conform with "E" area requirements; premises 1601-1611 Avenue J and 985-995 East 16th street, northeast corner

(Block No. 6709, part of Lot Nos. 47, 49 and 51), Borough of Brooklyn.

CAL. NO. 510-39-BZ—Application, April 25, 1939, under section 7h of the building zone resolution, of Henry Nordheim, applicant, on behalf of Lewine Realty Corporation, owner (Gordon and Ettl, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 5821-5839 Broadway and 251-263 West 238th street, northwest corner (Block No. 3414-B, Lot Nos. 134, 136 and 140), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JULY 11, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, June 20, 1939, and the minutes of the regular meeting of the Board held on Tuesday afternoon, June 20, 1939, were approved as printed in Bulletin No. 26, Vol. 24.

BUILDING ZONE CASES

418-39-BZ.

APPLICANT—Arthur W. Renander, for John Polachek and Broadwalk Building Corporation, owners (Fritz Parking, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 43-06 to 43-32 43rd street, southwest corner of 43rd avenue (Block No. 163, Lot Nos. 25 and 31), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander, Jack Turkish, Karl Holbner, John Anderson and William O. Eckert.

For Opposition: John J. Colter, A. J. McCann, Benjamin Lorber and H. Hopkins.

ACTION OF BOARD—Laid over to July 11, 1939 at 2 P.M.

510-39-BZ.

APPLICANT—Henry Nordheim, for Lewine Realty Corporation, owner (Gordon and Ettl, lessees).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—5821-5839 Broadway and 251-263 West 238th street, northwest corner (Block No. 3414-B, Lot Nos. 134, 136 and 140), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Allen Gordon.

For Opposition: Louis Abramson, Francis A. Armeny, Earl I. Gallant and Charles J. Gallagher.

ACTION OF BOARD—Laid over to July 18, 1939 at 2 P.M.

543-26-BZ.

APPLICANT—Earl R. Fenton, for Cities Service Oil Company, owner (John Boyd, lessee).

SUBJECT—Application reopened February 21, 1939 (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the alteration and extension of an accessory building and, also, the relocation of pumps on a gasoline service station (previously granted by the Board).

PREMISES AFFECTED—105-02 Queens boulevard and 69-51 Yellowstone boulevard, southwest corner (Block No. 3236, Lot No. 1), Forest Hills Terrace, Borough of Queens.

APPEARANCES—

For Applicant: George H. Cohn, T. Fisher and John R. Boyd.

For Opposition: E. T. Stewart.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(543-26-BZ)

WHEREAS, this application, to permit in a business use district, the erection and maintenance of a gasoline service station affecting premises: 105-02 Queens boulevard and 69-51 Yellowstone boulevard, southwest corner (Block No. 3236, Lot No. 1), Forest Hills Terrace, Borough of Queens, was granted on certain conditions July 27, 1926; and

WHEREAS, Earl R. Fenton, for Cities Service Oil Company, present owner (John Boyd, lessee), requested a reopening of the application and an amendment of the resolution, to permit the alteration and extension of an accessory building and the relocation of gasoline pumps; and

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WHEREAS, this application was reopened by vote of the board on February 21, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting July 11, 1939 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business use district; Gerard place is in a business and unrestricted use district; Yellowstone boulevard is in a business use district; Backus place is in an unrestricted and business use district and Stafford avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings on Alt. Application No. 73-1939, dated January 29, 1939, reads:

"The proposed alteration is at variance with resolution 543-26-BZ, adopted by the Board of Standards and Appeals July 27, 1926. Application is denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 120 ft. on Queens boulevard, 215 ft. on Yellowstone boulevard, 27 ft. on Stafford avenue and 262 ft. on Gerard place—occupied as a gasoline service station. It is proposed to remove the northerly section of the existing accessory building (10 ft. by 25 ft. in area and occupied as heater room and grease room) and to erect an extension (50 ft. by 30 ft. in area to be used as office, auto laundry and lubritorium). It is proposed also, to relocate the Queens boulevard pumps; to install three (3) additional pumps on Yellowstone boulevard frontage and to relocate an existing metal storage building; and

WHEREAS, the premises and surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant had substantiated the basis of his application under sections 7c and 21.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 27, 1926, by adding thereto:

"That in the event the owner desires to rearrange the existing gasoline service station from the conditions as indicated on plans marked 'Received May 13, 1939', to the arrangement as indicated on plans filed on the same date, such rearrangement may be constructed, adding an office section and an addition for greasing and washing and an additional pump island parallel to Yellowstone boulevard, *on condition* that such addition shall not be nearer to the building line of Yellowstone boulevard than as shown and that the gasoline pumps shall be not nearer than 15 ft. from the building line; that all metal buildings on the premises shall be completely removed; that no buildings in addition to the extension proposed shall be constructed and no additional pumps shall be constructed nearer than those shown; that the portion of the plot now vacant, shall be planted with grass and shrubs; that complete working drawings shall be submitted for approval by the Chairman in behalf of the board before same are filed with the borough superintendent; that such plans shall be filed within two months from the date of this amended resolution."

641-30-BZ.

APPLICANT—Alfred H. Eccles, for Henry and Albert Merkle, owners.

SUBJECT—Application reopened January 31, 1939 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a new accessory building on a gasoline service station, previously granted by the board for a temporary period and, also, the extension of this temporary period.

PREMISES AFFECTED—207-07 Hillside avenue, south side, 41 ft. east of 207th street (Block No. 10582, Lot No. 3), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief

Walsh 4

Absent 0

THE RESOLUTION—

(641-30-BZ)

WHEREAS, this application, to permit in a business use district, the maintenance of a gasoline service station for a temporary period of two (2) years, was granted by the board May 25, 1931 and the period extended from time to time, the last extension being May 17, 1938, for a temporary period of two (2) years, affecting premises: 207-06 Hillside avenue, south side, 41 ft. east of 207th street (Block No. 10582, Lot No. 3), Queens Village, Borough of Queens; and

WHEREAS, Alfred Eccles, for Henry Merkle and Albert Merkle, present owners, requested a reopening of the application, to permit the extension of this temporary permit for ten (10) years under section 21 and the erection of a new accessory building on the site and a rearrangement of lot lines; and

WHEREAS, this application was reopened by vote of the board January 31, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 11, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hillside avenue is in a business use district; 89th avenue is in a residence and business use district; 207th street is in a residence and business use district; 208th street is in a residence and business use district and Cross Island boulevard is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 1439-39, dated June 7, 1939, reads:

"The erection of a new building for accessory use to a gasoline station in a business district, is prohibited by sec. 4 of the Zone Law, Art 2. Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 61 ft. 6 in. and a depth of 94.6 ft.—occupied as a gasoline service station. It is proposed to remove the buildings now on the site; to relocate the pumps; to erect upon the site a one story building 58 ft. 4 in. by 26 ft. 4 in. in area to be used as auto laundry, lubritorium and office. It is proposed to continue the use of the site as a gasoline service station for a temporary period of ten (10) years; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1439-39 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

17-38-BZ.

APPLICANT—Herman Kron, for Harlem Savings Bank, owner (Rosemol Realty Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7H of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

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PREMISES AFFECTED—324-328 West 34th street, south side, 325 ft. west of Eighth avenue (Block No. 757, Lot Nos. 51 to 53 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron, Philip Adelman and Bernard F. Stern.

For Opposition: J. F. Le Viness and J. C. Meiser.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(17-38-BZ)

WHEREAS, Herman Kron, for Harlem Savings Bank, owner (Rosemol Realty Corporation, lessee), filed January 13, 1938, an application under the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises: 324-328 West 34th street, south side, 325 ft. west of Eighth avenue (Block No. 757, Lot Nos. 51 to 53 inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 11, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 34th street is in a retail use district; West 33rd street is in a retail and unrestricted use district; Eighth avenue is in a retail use district and Ninth avenue is in a retail and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated December 16, 1937, reads:

"1. Obtain permission from the Board of Standards and Appeals for use of premises as a parking space in accordance with Art 2, Section 4a of the Zone Resolution; also a drop curb permit must be obtained."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. and a depth of 98 ft. 9 in. It is proposed to use the plot for a temporary period of not more than two (2) years, for the parking (only) of more than five (5) motor vehicles; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 7h thereof for a temporary period of two years from the date of this resolution, to permit the premises to be used for the transient parking of more than five (5) motor vehicles, on condition that the plot shall be levelled substantially to the grade of West 34th street; that on the interior lot lines, where walls of adjoining buildings do not occur, there shall be erected a substantial woven wire fence, not less than 7 ft. in height; that a similar fence shall be erected on the street building line of West 34th street, except for an entrance which shall not exceed 15 ft. in width with a curb cut opposite of similar width; that the parking shall be restricted to transient parking of pleasure cars only; that during the term of this variance, the plot shall be used for no other use; that all buildings now on the premises shall be completely removed and no new buildings erected, except there may be erected a building not exceeding one story in height and 150 sq. ft. in area, which may be frame, to be occupied as an office and shelter for the attendant; that the plot shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting; that signs shall be restricted to one sign

attached to the fence, not exceeding 15 sq. ft. in area and advertising only the transient parking use, excluding all other signs and all signs extending beyond the building line; that all permits required shall be obtained and all work involved shall be completed within three months from the date of this resolution.

739-38-BZ.

APPLICANT—Herman Kron, for Brooklyn and Queens Transit Corporation, owner (Crown Parking Corporation, lessee).

SUBJECT—Application reopened and restored to calendar, March 14, 1939 (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously withdrawn).

PREMISES AFFECTED—880-900 Franklin avenue and 41-61 Crown street, northwest corner (Block No. 1189, part of Lot No. 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward Drock, Herman Kron, Morris M. Mintz, Max Kaminsky, Israel Bernstein and Thomas Dowd.

For Opposition: Paul Friedman, Henry J. Nurick, Herman Rothberger, Sol Becker, M. Brumberg and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(739-38-BZ)

WHEREAS, this application, to permit partly in a business use district and partly in an unrestricted use district, the parking and storage of more than five (5) motor vehicles, affecting premises: 880-900 Franklin avenue and 41-61 Crown street, northwest corner (Block No. 1189, part of Lot No. 31), Borough of Brooklyn, was withdrawn on February 15, 1939; and

WHEREAS, Herman Kron, for the Brooklyn and Queens Transit Corporation, owner (Crown Parking Corporation, lessee), requested a reopening and consideration of the application to permit the use of the premises for parking and storage of more than five (5) motor vehicles and also the erection and maintenance of a gasoline service station; and

WHEREAS, this application was reopened by vote of the board on March 14, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 11, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Franklin avenue is in a business use district; Crown street is in an unrestricted, business and residence use district and Carroll street is in an unrestricted business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated February 27, 1939, re Application No. 74-1939, reads:

"1. Gasoline station, parking and storage for more than 5 cars in a business district is contrary to Art. 2, par. 4a, Sections 15 and 46 of the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 262 ft. on Franklin avenue and 234 ft. on Crown street; the easterly portion of the plot (having a depth of 100 ft. along Franklin avenue) is in a business use district; the remainder of the plot is in an unrestricted use

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district. Upon the plot there are located a 2 story administration building, a small one story brick garage and a one story car barn, which is to be demolished. The portion of the plot in question has a frontage of 220 ft. on Franklin avenue and 234 ft. on Crown street; it is proposed to occupy the southeasterly portion of this plot as a gasoline service station and to use the remainder of the plot for storage and parking of more than five (5) motor vehicles. Applicant requests this proposed use for a temporary period of five (5) years; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the acting borough superintendent, re Application No. 74-39, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

382-39-BZ.

APPLICANT—Lama and Proskauer, for Joe Oppenheim, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, on a plot of ground upon which there is a gasoline service station, the erection of a building to be used as a lubritorium, auto laundry and office.

PREMISES AFFECTED—545-549 Albany avenue and 630-640 Maple street, southeast corner (Block No. 4800, Lot No. 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Joe Oppenheim.

For Opposition: Charles Tilgner and Herbert Essori.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(382-39-BZ)

WHEREAS, Lama and Proskauer, for Joe Oppenheim, owner, filed March 28, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, on a plot of ground upon which there is a gasoline service station, the erection of a building to be used as a lubritorium, auto laundry and office, premises: 545-549 Albany avenue and 630-640 Maple street, southeast corner (Block No. 4800, Lot No. 9), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 11, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Albany avenue is in a business use district; Maple street is in a business and residence use district; Midwood street is in a business and residence use district and East New York avenue is in a business use district; and

WHEREAS, the decision of the acting borough superintendent of buildings, on N.B. 581-1939, dated March 22, 1939, reads:

"Proposed new buildings for use as lubritorium, auto laundry, office and boiler rooms for existing gasoline selling station in a business use district is contrary to Art. II, Section 4a of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. on Albany avenue and 100 ft. on Maple street—occupied as a gasoline service station. It is proposed to remove the existing office and laundry structure now on the site; to relocate the pumps and grease pits and to erect upon the site a one story building 50 ft. by 24 ft. 8 in. in area to be used as a laundry, lubritorium and office and to continue the use of the premises as a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship, so as to reconstruct the existing gasoline station.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, permitting the premises under appeal to be reconstructed substantially as indicated on plans filed with this application, *on condition* that the accessory building, shall be located along the rear lot line to the east; that this accessory building shall be constructed of fireproof materials, except that roof beams, roof boarding, door frames and doors, window frames and sash may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that any windows or openings along the rear lot line shall be fireproof sash fixed and glazed with wire glass; that if, in lieu of the rear windows shown, roof skylights are installed, such skylights shall be not nearer than 10 ft. to the lot line; that if overhead doors are installed, the equipment in the lubritorium shall either be of the hydraulic lift type or if grease pits are installed, the greasing pits shall be ventilated through the roof by ducts and sparkproof fan; that the entire plot, not occupied by the accessory buildings shall be leveled substantially to grade of the adjoining streets and shall be cement paved; that there shall be erected on the southerly building line, continuously from Albany avenue to the accessory building, a masonry wall not less than 7 ft. in height; that gasoline pumps shall be not nearer than 15 ft. to either street building line; that curb cuts shall not be increased beyond the present width, one curb cut not over 30 ft. on Albany avenue and one not over 40 ft. in width on Maple street; that at the intersection of Maple street and Albany avenue there shall be erected a solid block of concrete not less than 1 ft. in height, extending 5 ft. along either street from the intersection; that signs shall be restricted to permanent signs attached to the front of the accessory building and the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection of one (1) post standard near the intersection of Maple street and Albany avenue for the support of a sign advertising only the brand of gasoline on sale; that such sign may be illuminated and extend over the building line for a distance of not over 4 ft.; that any lights for general illumination shall be on post standards with metallic reflectors so arranged as to reflect toward the center of the plot and away from adjoining occupancies; that the boiler room shall be enterable only from the exterior and shall be separated from the balance of the building by fireproof construction; that no automobile repairing shall be carried on and no parking or storage of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

387-39-BZ.

APPLICANT—Theodore R. Feinberg, for 126-08 Northern Boulevard Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business

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use district, the inclusion of a gasoline service station in an existing building.

PREMISES AFFECTED—126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner, and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1), Corona, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy, Clinton T. Roe and Theodore R. Feinberg.

For Opposition: Harold Klorfein, Park Dep't.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(387-39-BZ)

WHEREAS, Theodore R. Feinberg, for 126-08 Northern Boulevard Corporation, owner, filed March 27, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the inclusion of a gasoline service station in an existing building; premises: 126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 11, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business and unrestricted use district; 126th street is in a business and unrestricted use district; 34th avenue is in an unrestricted and business use district and 126th place is in an unrestricted and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 592-1939, dated March 21, 1939, reads:

"The erection of a gasoline selling station within a business district is contrary to Article 2, Section 4, subd. 46 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 231 ft. on 126th street, 105 ft. on Northern boulevard and 40 ft. on 34th avenue. Upon the northerly portion of the plot there is located a one story fireproof building having a frontage of 105 ft. on Northern boulevard and 131 ft. on 126th street. It is proposed to remove and relocate the Northern boulevard street wall and part of the 126th street walls of the building and to use the resulting space as an alcove gasoline service station, having a frontage of 105 ft. on Northern boulevard and an approximate depth of 28 ft.; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, it is the opinion of the committee that, in view of the park occupancy and the recent improvement of Northern boulevard, an additional gasoline service station in this area would not be necessary or a desirable improvement; and that the building could be used in accordance with existing legal permit, without the addition of the proposed non conforming use.

Resolved, that the decision of the borough superintendent, re Application No. 592-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

506-39-BZ.

APPLICANT—Joseph M. Lonergan, for Mutual Life Insurance Company, owner (Port Garage Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—46-48 Pine street and 56-60 William street, northeast corner (Block No. 41, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph M. Lonergan.

For Opposition: Robert J. Farrington, Arthur C. Bang, F. L. Glasby and H. V. Beck.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(506-39-BZ)

WHEREAS, Joseph M. Lonergan, for Mutual Life Insurance Company, owner (Port Garage Corporation, lessee), filed April 21, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 46-48 Pine street and 56-60 William street, northeast corner (Block No. 41, Lot No. 22), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 11, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that William street is in a business and unrestricted use district; Pine street is in a business and unrestricted use district; Cedar street is in a business and unrestricted use district and Pearl street is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated April 20, 1939, reads:

"Your application dated April 16, 1939 for a certificate of occupancy for use of the above premises for the parking and storage of more than five motor vehicles, has been denied for the reason that the premises is located in a business district where this occupancy is prohibited by Section 4 of the Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 107 ft. 10 in. on William street and 57 ft. on Pine street. It is proposed to use the site for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision H for the use of the plot for the parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent, dated April 20, 1939, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

Adjourned, 1.30 P. M.

EDWARD V. BARTON, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JULY 11, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

MINUTES

BUILDING ZONE CASES

617-24-BZ.

APPLICANT—Samuel Gardstein and Son, for Lantic Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment (re decision of the acting borough superintendent of buildings) re Application, previously granted on condition, under section 7c of the building zone resolution, permitting the alteration and conversion of occupancy of building used as a factory, stable and garage, located partly in a business use district and partly in an unrestricted use district, to a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-57 Third avenue and 522-528 Atlantic avenue, southeast corner (Block No. 186, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Gardstein, S. L. Teitler and S. Polik.

ACTION OF BOARD—Application for reopening, denied.
THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

943-38-BZ.

APPLICANT—Frank Nardone (lessee) for F.C.A. Corporation, and Edbro Realty Corporation, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—43-25 43rd street, east side, 150 ft. south of 43rd avenue (Block No. 162, Lot Nos. 9, 11, and 17), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Ellwyn F. Hayslip and others.
For Opposition: J. J. Cotter, A. J. McCann and Benjamin Lorber.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(943-38-BZ)

WHEREAS, Frank Nardone, lessee, for F.C.A. Corporation and Edbro Realty Corporation, owners, filed October 27, 1938, an application under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 43-25 43rd street, east side, 150 ft. south of 43rd avenue (Block No. 162, Lot Nos. 9, 11 and 17), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting July 11, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 43rd street is in a business use district; 44th street is in a residence and business use district; 43rd avenue is in a business use district and Queens boulevard is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated September 27, 1938, reads:

“Your application for certificate of occupancy for parking and storage of more than five (5) motor vehicles on premises 43rd Street, E.S., 150 feet south of 43rd Avenue, Long Island City, is hereby denied as same is contrary to Art. II, Sect. 4a, subd. 15 of the Building Zone Resolution.”

and

WHEREAS, the premises consist of a plot of ground having a frontage of 250 ft. and a depth of 95 ft. It is proposed to use the plot for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, verbal report of which inspection recommended the granting of this parking lot for a period of two (2) years under the usual conditions; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h, for a term of two (2) years, permitting the plot under appeal to be used for the parking and storage of more than five (5) motor vehicles, *on condition* that only automobiles of the pleasure car type shall be so stored and parked; that the premises shall be leveled substantially to the grade of 43rd street; that there shall be erected on the interior lot lines a substantial woven wire fence not less than 6 ft. in height and that a similar fence shall be erected on the street building line with not over two (2) openings therein, each not over 15 ft. in width, with curb cuts opposite of similar width; that during the term of this variance, the premises shall be used for no other use other than as herein permitted; that no building shall be erected thereon, except there may be erected a building to be used as office and shelter for the attendant, which building shall not exceed one (1) story in height, not over 150 sq. ft. in area, and which may be of frame construction; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that any lights for general illumination shall be on pipe standards, so arranged with metallic reflectors so as to reflect away from the adjoining residential occupancies; that signs shall be restricted to one sign attached to the fence at each entrance, advertising only the parking and storage use; that such signs shall not exceed 15 sq. ft. each, shall not extend beyond the building line and shall not be illuminated; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

75-39-BZ.

APPLICANT—Sidney L. Strauss, for Ann Gurein, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the alteration and extension of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—38-02 Broadway and 32-01 38th street, southeast corner (Block No. 656, Lot No. 34), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

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THE RESOLUTION—

(75-39-BZ)

WHEREAS, Sidney L. Strauss, for Anna Gurein, owner, filed January 19, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the alteration and extension of an accessory building on an existing gasoline service station, affecting premises: 38-02 Broadway and 32-01 38th street, southeast corner (Block No. 656, Lot No. 34), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 11, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a business use district; 38th street is in a residence and business use district and Steinway avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 1492-38, dated January 11, 1939, reads:

"The proposed alteration would create an enlarged gasoline station. The enlarging of a gasoline service station within a business district is contrary to Article 2, section 4 of the zone law. (Not further considered.)"

and

WHEREAS, the premises consist of a plot of ground having a frontage of 25 ft. on Broadway and 100 ft. on 38th street—occupied as a gasoline service station. It is proposed to erect a new brick face upon the existing accessory building and to erect an extension to same, 35 ft. by 21 ft. 8 in., irregular in area, the extension to be occupied as a lubricatorium to be used in conjunction with the existing gasoline service station; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the rearrangement and reconstruction of the existing legal gasoline station, substantially as shown on revised plans marked "Received July 10, 1939", *on condition* that the accessory building shall not be further extended in height or area; that the lot shall not be increased; that all pumps within 10 ft. of the building line shall be removed and no pumps shall be installed nearer than 10 ft. to either building line; that the curb cut from Broadway shall not be increased from the existing width of 24 ft. and the curb cut on 38th street shall be reduced to 78 ft., as shown on plan marked "Received July 10, 1939", and any existing curb cut not included in this dimension, shall be restored; that the extension to the accessory building shall be constructed of incombustible materials, except that the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood; that if closure doors are installed on the greasing section and the greasing pits are installed, ventilation of the greasing pits shall be installed through the roof with fans of the sparkproof type; that no signs shall be erected on the premises except permanent signs attached to the facade of the accessory buildings, excluding all roof signs and temporary signs, but permitting the erection within the building lines of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that the entire plot, where not covered by accessory buildings, shall be cement paved; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

418-39-BZ.

APPLICANT—Arthur W. Renander, for John Polachek

and Broadwalk Building Corporation, owners (Fritz Parking, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—43-06 to 43-32 43rd street, southwest corner of 43rd avenue (Block No. 163, Lot Nos. 25 and 31), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander, Jack Turkish, Karl Holbinder, John Anderson and William O. Eckert.

For Opposition: John J. Cotter, A. J. McCann, Benjamin Lorber and H. Hopkins.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(418-39-BZ)

WHEREAS, Arthur W. Renander, for John Polachek and Broadwalk Building Corporation, owners (Fritz Parking, lessee), filed April 3, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 43-06 to 43-32 43rd street, southwest corner of 43rd avenue (Block No. 163, Lot Nos. 25 and 31), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 11, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 43rd street is in a business use district; 42nd street is in a residence and business use district; Queens boulevard is in a business use district and 43rd avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings re Parking Application No. 176-1939, dated March 2, 1939, reads:

"Parking or storage of more than five motor vehicles in a business district contrary to Building Zone Resolution, Art. II, Section 4."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 310 ft. on 43rd street and 95 ft. on 43rd avenue. It is proposed to occupy the site for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h, for a term of two (2) years, to permit that portion of the premises within the business use district, known as Lot 31, Block 163, with a frontage of 160 ft. along 43rd street, to be occupied for parking and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure car type shall be stored and parked; that the premises shall be leveled substantially to the grade of 43rd street and shall be surfaced with steam cinders, clean gravel or other suitable material properly rolled and bound; that during the term of this variance, the premises shall be used for no other purpose other than as herein permitted; that

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no building shall be erected thereon, except that there may be erected a building to be used as office and shelter for the attendant, not to exceed one (1) story in height nor over 150 sq. ft. in area, which may be of frame; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that there shall be installed on the interior lot lines, a substantial woven wire fence not less than 6 ft. in height; that a similar fence shall be constructed on the street building line with no openings therein, except one not over 15 ft. in width on 43rd street, with curb cut opposite of similar width; that no signs shall be erected on the premises, except that there may be a sign at the entrance attached to the fence advertising the parking and storage use, not exceeding 15 sq. ft. in area and not extending beyond the building line; that any lights for general illumination shall be on pipe standards with metallic reflectors so arranged as to reflect away from the buildings having residential occupancies; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

595-30-BZ.

APPLICANT—Lama and Proskauer, for Josephine Cavanagh, present owner.

SUBJECT—Application for consideration—reopening, amendment and approval of plans—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—2478-2488 Coney Island avenue, northwest corner of Avenue V (Block No. 7136, part of Lot Nos. 35 and 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(595-30-BZ)

WHEREAS, Diamond Evangelist, owner, filed, September 16, 1930; denied February 17, 1931; reopened under new state of facts June 13, 1933, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 2478-2488 Coney Island avenue, northwest corner of Avenue V (Block No. 7136, part of Lot Nos. 35 and 39), Borough of Brooklyn; and

WHEREAS, this application was granted by the board November 8, 1933, on certain conditions, time to complete extended January 23, 1934, resolution amended April 24, 1934, July 17, 1934, January 18, 1938 and April 4, 1939, and present owner requests a further amendment of the resolution and approval of plans.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 8, 1933, as amended by resolution of January 23, 1934, and January 18, 1938, only so far as it has reference to the term of the permit and the completion of the work, so that as amended the resolution shall read:

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 21, for a period of five years from January 18, 1938, to permit a variance of the

zoning resolution for a gasoline service station on the plot at the corner of Coney Island avenue and Avenue V, 100 ft. on Coney Island avenue and 50 ft. on Avenue V, *on condition* that there shall be erected on the interior lot lines of this plot an unpunctured brick wall, suitably coped, not less than 8 ft. in height, and that a similar wall shall be erected on the street line of Avenue V, out to the corner of Coney Island avenue; that this wall may, however, be racked back, starting with a height of 4 ft. at Coney Island avenue and be racked back at the rate of one foot in four; that there shall be no openings for the entrance of automobiles to this plot except from Coney Island avenue; that there shall be erected along the street building line of Coney Island avenue a concrete curb at least 6 in. in height and 12 in. in width with rounded top; that there shall be not over three openings therein, no opening to exceed 25 ft. in width and no part of any opening nearer than 10 ft. to the corner formed by the intersection of Coney Island avenue and Avenue V, nor within 5 ft. of the northerly line of this plot under appeal, with curb cuts opposite these openings not over 30 ft. in width; that the accessory buildings to be erected on this plot shall not exceed those shown on the plans filed with this application, consisting of an office and housing for grease racks, with fronts left open, that these buildings shall not exceed one story in height and the rear walls of these buildings may be incorporated in the rear lot line wall; that there shall be no excavation under these buildings except the greasing pits; that these buildings shall be constructed of incombustible materials; that the balance of the plot shall be cement paved or covered with cracked blue stone; that any gasoline pumps that are erected shall be at least 10 ft. from the building line of Coney Island avenue and not nearer than 10 ft. to any part of an accessory building; that there shall be no portable gasoline pumps used on or from the property; that any signs advertising non-conforming uses shall be limited to the illuminated globes of the gasoline pumps and to flat wall signs on the interior side of the lot line wall or against the fronts of the accessory buildings, no signs to be erected on the rear of the wall facing west or on the wall facing Avenue V, excluding all temporary signs of every nature; that illumination at night shall be by means of pipe standards not over 8 ft. in height with metal reflectors arranged to reflect downwardly so that they will be no nuisance at night to any residential buildings in the neighborhood; that no portion of the balance of the property owned by this applicant shall be used for non-conforming use; that there shall be no repairing of automobiles permitted on the premises; *that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution.*

Resolved, further, that the Board of Standards and Appeals does hereby amend its resolution of April 4, 1939 and hereby approves plans as being in general compliance with the design and arrangement as required under said resolution, *on condition* that if closure doors are installed on the greasing section, that no greasing pits shall be installed inside the building, but that the greasing equipment shall be of the hydraulic type; and permitting the roof construction to be fire-retarded, as shown, in lieu of the fireproof construction required under the resolution of the board of April 4, 1939, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals."

93-33-BZ.

APPLICANT—John J. Beatty, for T. H. Fraser Mortgage Corporation, owner.

SUBJECT—Application for consideration—reopening, amendment and approval of plans—re Application (decision of the commissioner of buildings)

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under section 7c of the building zone resolution, permitting partly in an unrestricted use district and partly in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—246-250 Atlantic avenue, southwest corner of Boerum place (Block No. 278, Lot Nos. 38, 39 and 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Beatty.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(93-33-BZ)

WHEREAS, John J. Beatty, for T. H. Fraser Mortgage Corp., owner, filed March 8, 1933, an application under section 21 of the building zone resolution, to permit partly in an unrestricted use district, and partly in a business use district, the erection and maintenance of a gasoline service station. Premises: 246-250 Atlantic avenue, southwest corner of Boerum place (Block No. 278, Lot No. 38, 39 and 40), Borough of Brooklyn; and

WHEREAS, this application was granted by the board May 31, 1933, on certain conditions; and

WHEREAS, this resolution was amended April 28, 1936 and applicant requests a further amendment.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted April 28, 1936, so that as amended, it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 7-C thereof, permitting the plot under appeal, except for a frontage along Atlantic avenue not less than 25 ft. in depth, to be used as a gasoline selling station, on condition that the frontage along Atlantic avenue shall be occupied by a building for conforming purposes, except that there may be a driveway not more than 25 ft. in width and not nearer than 15 ft. to the corner formed by Atlantic avenue and Boerum place as an access to the gasoline selling area.

"Resolved, further, that the plans marked 'Received June 23, 1939' are hereby approved as in general compliance with the design and arrangement of the above-mentioned resolution, on condition that the accessory buildings shall be constructed of incombustible materials, except that the roof beams and roof boarding, door frames and doors, window frames and sash may be of wood, provided the ceilings are fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that unless the greasing equipment in the accessory building is of the hydraulic type that any greasing pits installed shall be ventilated through the roof by fans of the sparkproof type; that no gasoline pumps shall be erected nearer than 15 ft. to the street building line of Boerum place and not nearer to Atlantic avenue than 35 ft.; that the buildings required to be constructed along the Atlantic avenue front shall be used at all times for conforming business purposes in no way connected with the gasoline service operation; that the curb cut shall be restricted to 25 ft. in width on Atlantic avenue and to two curb cuts each 25 ft. in width from Boerum place; that where walls of accessory buildings do not occur, there shall be constructed on all interior lot lines, brick walls conforming in design and material to the accessory buildings and not less than 7 ft. in height; that the portion of the premises not occupied by buildings shall be cement-

paved; that signs advertising the non-conforming use shall be restricted to permanent signs on the accessory building and the illuminated globes of the gasoline pumps, excluding roof signs and temporary signs, but permitting the erection within the building line of Boerum place of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not over 4 ft.; that no automobile repairing shall be permitted on the premises and there shall be no parking or storage of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that the occupancy of this gasoline service station shall not be permitted until the gasoline station and the buildings designed for conforming business uses, as shown on plans, are completed in all respects; that all permits required shall be obtained and all work completed within one year from the date of this amended resolution."

86-37-BZ.

APPLICANT—Herbert J. Williams, for Alfred E. Kretzman, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a retail use district, the parking or storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—146-148 West 31st street, south side, 200 ft. east of Seventh avenue (Block No. 806, Lot Nos. 68 and 69), Borough of Manhattan.

APPEARANCES—

For Applicant: Herbert J. Williams.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(86-37-BZ)

WHEREAS, Keystone Parking Station, for John A. Weser, et al owners, filed March 3, 1937, an application under the building zone resolution to permit in a retail use district the parking or storage of more than five (5) motor vehicles; premises: 146-148 West 31st street, south side, 200 ft. 6 in. east of 7th avenue (Block No. 806, Lot Nos. 68 and 69), Borough of Manhattan; and

WHEREAS, this application was granted June 2, 1937, on certain conditions and owner requests an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of June 2, 1937, only so far as it refers to the term of the permit, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 7-H thereof, for a period of two years from the date of this amended resolution permitting the premises under appeal to be used for the parking of more than five automobiles, on condition that only pleasure cars and those capable of operation shall be parked; that the entire plot shall be leveled and covered with steam cinders, properly bound to prevent dusting or other suitable surfacing; that where unpunctured walls of adjacent buildings do not occur, either walls or a substantial woven wire fence six feet in height shall be constructed; that a substantial woven

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wire or steel picket fence shall be constructed along the lot line of West 31st street, except for entrance opening, which shall not exceed 20 feet in width; that no additional curb cuts shall be installed other than those now existing; that during the term this plot is used for parking purposes it shall be occupied for no other use; that no building shall be erected other than a small building not exceeding ten feet square and one story in height as a shelter for the attendant; that signs shall be limited to one sign advertising only parking use; that all permits required shall be obtained within three months from the date of this amended resolution."

459-37-BZ.

APPLICANT—The Mutual Life Insurance Company of New York, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, permitting partly in a business use district, partly in a retail use district and partly in a restricted retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—886 Seventh avenue and 201-209 West 56th street, northwest corner (Block No. 1028, Lot Nos. 25, 27, 29 and 29½), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(459-37-BZ)

WHEREAS, MacMurray Holding Corporation, for The Mutual Life Insurance Company, owner, filed September 27, 1937, an application under the building zone resolution, to permit partly in a business use district, partly in a retail use district and partly in a restricted retail use district, for a temporary period of not more than two (2) years, parking and storage of more than five (5) motor vehicles; premises: 886 Seventh avenue and 201-209 West 56th street, northwest corner (Block No. 1028, Lot Nos. 25, 27, 29 and 29½), Borough of Manhattan; and

WHEREAS, the application was granted by the board November 9, 1938, on certain conditions and applicant requested an amendment of the resolution as to the time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of November 9, 1938, only so far as it refers to time within which to obtain permits and complete the work, so that as amended that portion of the resolution shall read:

"That all permits required shall be obtained and all work completed within *one month* from the date of this amended resolution."

866-38-BZ.

APPLICANT—Goldenthal Brothers, for the Lafayette National Bank of Brooklyn, as Trustee (Herman Ellerbrock, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period

of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—21-23 to 21-33 31st street, east side, 225 ft. south of 21st avenue (Block No. 831, Lot Nos. 20 to 24, inclusive), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Max M. Bernstein.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(866-38-BZ)

WHEREAS, Goldenthal Brothers, for the Lafayette National Bank of Brooklyn, as trustee (Herman Ellerbrock, lessee), filed October 7, 1938, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 21-23 to 21-33 31st street, east side, 225 ft. south of 21st avenue (Block No. 831, Lot Nos. 20 to 24, inclusive), Astoria, Borough of Queens; and

WHEREAS, this application was granted by the board April 18, 1939, on certain conditions and applicant requested an extension of time to obtain permit and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of April 18, 1939, so that as amended, it shall read:

"That all permits required shall be obtained and all work involved completed within two months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS
363-39-A.

APPLICANT—Henry Nordheim, for Emma Grossl, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1999 Gleason avenue, north-side, 100 ft. west of Pugsley avenue (Block No. 3793, Lot No. 55), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Administration: M. Harris, Department of Housing and Buildings.

ACTION OF BOARD—Appeal placed on reserve calendar pending possible legislation to be introduced in the next Legislative Session to deal with garages in converted dwellings (M. D. L., Section 170).

405-39-A.

APPLICANT—Leonard A. Swarthe, for Frieda Kaufler, lessee (R. Kruckel, owner).

SUBJECT—Appeal from an order and a decision of the Deputy Commissioner Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—960 East 163rd street, southeast corner of Vyse avenue (Block No. 2996, Lot No. 23), Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard A. Swarthe.

ACTION OF BOARD—Laid over to July 18, 1939, at 2 p.m., for inspection by a committee of the board.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

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OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings re: Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—
For Applicant: George G. Lake and Max Siegel.
For Opposition: Joseph Ferber.
For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 p.m., for decision, without further argument.

788-39-A.

APPLICANT—Children's Aid Society, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—South side of Lafayette avenue, between Alden avenue and Brighton avenue (Block No. 97, Lot No. 1), West New Brighton, Borough of Richmond.

APPEARANCES—
For Applicant: Alan M. E. Johnstone.
For Administration: Inspector Meyer, Fire Department, and A. B. Comins, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 18, 1939, at 2 p.m., applicant to correct papers and file plans.

794-39-A.

APPLICANT—Mayers, Murray and Phillip, for Seamen's Bank for Savings in the City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—314 West 49th street, south side, 250 ft. west of Eighth avenue, and 319 West 48th street (Block No. 1039, Lot Nos. 43, 44 and 17), Borough of Manhattan.

APPEARANCES—
For Applicant: Julius Eckmann, R. D. Phillip and others.
For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to amend appeal to B.Z. Application, subject to usual procedure.

570-39-A.

APPLICANT—Sally Ferstand, lessee, for 957 East 172nd Street Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—957 East 172nd street, northwest corner of Vyse avenue (Block No. 2989, Lot No. 50), Borough of The Bronx.

APPEARANCES—
For Applicant: Arthur Bruder.
For Administration: M. C. E. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

736-39-A.

APPLICANT—Staten Island Improvement Co., owner (A. Lorenzo, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—101 Boardwalk and south side of Beach boulevard, 1000 ft. west of Sand lane (Block No. 3491, Lot No. 205, South Beach, Borough of Richmond.

APPEARANCES—
For Applicant: Edwin H. Skinner.
For Opposition: Harold Klorfein, Department of Parks.
For Administration: A. B. Comins, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

843-39-A.

APPLICANT—Theodore R. Feinberg, for Public Mortgage and Real Estate, owner (Metropolitan Sales and Services Co., Inc., lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—North side of World's Fair boulevard (Horace Harding boulevard), 464.41 ft. east of Queens boulevard (Block No. 980, Lot No. 1 and Block No. 983, Lot No. 43), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appeal withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

89-39-A.

APPLICANT—Leonard A. Swarthe for Regina Flaxman, lessee.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—2075 Grand concourse, southwest corner of East 180th street (Block No. 3160, Lot No. 20), Borough of The Bronx.

APPEARANCES—
For Applicant: Leonard A. Swarthe.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(89-39-A)

WHEREAS, Leonard A. Swarthe, for Regina Flaxman, lessee, filed January 23, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises: 2075 Grand concourse, southwest corner of East 180th street (Block No. 3160, Lot No. 20), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on B.N. Applic. No. 1072-38, dated January 11, 1939, reads:

"A-1: Objection not removed:
'Building is in a residential district. No business may be conducted in a residential district. Section 3, Building Zone Resolution.' "

and

MINUTES

WHEREAS, said B.N. Applic. No. 1072-38 was filed subsequent to the receipt of a decision of the borough superintendent, dated November 22, 1938, which reads:

"This is to advise you that Certificate of Occupancy No. 468-24, issued on March 25th, 1924 to the Walart Construction Co., Inc., for the building at the above location, was issued in error. The plans filed for this building under New Building Application No. 3119-22 and the records of the Housing Division of this Department show the building to be six (6) stories in height and occupied as a tenement house for forty (40) families.

This error was apparently due to the fact that the architect considered the building to be five stories in height and was forced to amend the plan to show it to be six stories in height in accordance with the Tenement House Law. The original plan also indicated apartments in cellar but these apartments were omitted.

You are therefore advised to have the owner request an amended certificate of occupancy so that it shall show the true occupancy of the building."

and

WHEREAS, the building is six stories (66 ft. 6 in.) in height, 100 ft. by 92 ft. in area, of non-fireproof construction, erected in 1924, located in a residence use district, and occupied throughout as a Class A multiple dwelling; and

WHEREAS, the applicant contends that the lessee of the premises occupies the apartment as a bona-fide residence and uses the living room only as a beauty parlor; that the lessee practices her profession or trade in her bona-fide residence and does not employ any outside help. Therefore, the beauty parlor, in this instance, is "the accessory uses customarily incident thereto" and is permitted under article 2, section 3, building zone resolution; and

WHEREAS, the committee of the board, which inspected the premises, found that the use of the premises was a business and not a professional use, and not a usual accessory use, permitted in a residence district.

Resolved, that the decision of the borough superintendent on B.N. 1072-38, objection A-1, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

560-39-A.

APPLICANT—Seymour A. Mitteldorf, for Morris Yankowitz, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—605 Sixteenth street, north side, 174 ft. 7 in. east of Eleventh avenue (Block No. 5259, Lot No. 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: S. N. Alderman.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(560-39-A)

WHEREAS, Seymour A. Mitteldorf, for Morris Yankowitz, owner, filed on May 3, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 605 Sixteenth street, north side, 174 ft. 7 in. east of Eleventh avenue (Block No. 5259, Lot No. 31), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 876-39, dated April 27, 1939, reads:

"1. Frame bldg. may not be converted to a Multiple Dwelling—Sec. 56."

and

WHEREAS, Violation No. 270-39 was issued January 17, and

1939 for occupying the building as a Class A multiple dwelling without a certificate of occupancy; and

WHEREAS, the building is 3 stories (29 ft.) in height, 23 ft. by 32 ft. in area, of frame construction; located in a residence use district; erected about 1880 and occupied: Cellar—boiler room and storage; 1st floor—one apartment; 2nd and 3rd floors—one apartment; total—two apartments throughout the building; it is proposed to occupy the building: Cellar—boiler room and storage; 1st floor—one apartment; 2nd floor—one apartment; 3rd floor—one apartment; and

WHEREAS, the applicant contends that the building is stucco and has been occupied as an old-law tenement up to 1928. Under Application 135-28, the premises were converted to a 2-family dwelling for which no certificate of occupancy has been issued; that it is proposed to convert the building to a multiple dwelling in accordance with section 8, subdiv. 1 of the Multiple dwelling law, by making same comply with the provisions of article 7 thereof; and

WHEREAS, it appears that the application was filed with the tenement house commissioner to change this building from a tenement house to another use on September 18, 1928 and work was immediately completed, although not recorded as completed in the records of the tenement house department prior to April 18, 1929; and

WHEREAS, section 8, subdivision 1 of the Multiple Dwelling Law, makes an exception in connection with tenement houses heretofore converted to be restored to tenement house occupancy, provided same are made to comply with article 7 of the Multiple Dwelling Law.

Resolved, that the decision of the borough superintendent, on Alt. Application No. 876-39, objection No. 1, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*.

707-39-A.

APPLICANT—Dominick Salvati, for Olga P. Halikes, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1135 86th street (1133 displayed), north side, 278 ft. east of 11th avenue (Block No. 6337, Lot No. 61), Borough of Brooklyn.

APPEARANCES—

For Applicant: Dominick Salvati.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(707-39-A)

WHEREAS, Dominick Salvati, for Olga P. Halikes, owner, filed May 29, 1930, an appeal from a decision of the acting borough superintendent of buildings affecting premises 1135 86th street (1133 displayed), north side, 275 ft. east of 11th avenue (Block No. 6337, Lot No. 61), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings on Alteration Application 1263-39, dated May 2, 1939, reads:

"5. As pitch of roof exceeds 20 degrees, provide 2nd means of egress as required by Sec. 188 of M. D. Law.

Note: The above section excludes the requirements of bulkhead scuttle or stair, but does require a 2nd means of egress as per sub. div. 2 and 3 of Section 187, M.D.L."

MINUTES

WHEREAS, the applicant contends that if the height of building is taken at the side yard, it will be 2 stories and cellar instead of 2 stories and basement, as when taken at the front, that the building has side service stairs leading from the 2nd floor to basement, with a side entrance into yard; that similar conversions have been made in the same group; that if owner is compelled to erect a fire escape, it would be an injustice to mar the appearance of the building, since the other buildings already converted are not provided with fire-escapes; and

WHEREAS, in the opinion of the board to grant the appeal would be tantamount to varying the minimum requirements of the Multiple Dwelling Law, which neither the board nor the borough superintendent of buildings is empowered to do.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1263-39, objection No. 5, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

730-39-A.

APPLICANT—Gramercy Truck Exchange, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—45-40 Van Dam street, northeast corner of 47th avenue (Block No. 279, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Irving Ax.

For Administration: Inspector Meyer, Fire Department, and William Hawkshy, Department of Health.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(730-39-A)

WHEREAS, Gramercy Truck Exchange, lessee, filed June 3, 1939, an appeal from an order and decision of the fire commissioner, affecting premises 45-40 Van Dam street, northeast corner 47th avenue (Block No. 279, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, Order No. 78906-LC, issued by the fire commissioner March 27, 1939, reads:

"1. Discontinue the maintenance of a bon fire for burning rubbish at 45-40 Van Dam street, Borough of Queens, for the reason that the Board of Health does not think the location a suitable one and recommends that application for a permit to maintain a bon-fire at this location be denied."

and

WHEREAS, this order was referred to in a decision of the fire commissioner, dated May 9, 1939; and

WHEREAS, the lot is 300 ft. by 180 ft. in area; located in an unrestricted use district and used for the burning of old truck parts; and

WHEREAS, the applicant contends that there are no dwellings in the vicinity and that all other dealers use their premises for the same purposes and have received permits for such use.

Resolved, that the order of the fire commissioner, No. 78906-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the operation meets with the approval of the fire commissioner and the Department of Health.

772-39-A.

APPLICANT—Misam Realty Corporation, for Green-Norman Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—126 Beach 85th street, east side, 702.52 ft. south of Rockaway Beach boulevard (Block No. 620, Lot No. 11), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Meyer D. Siegel.

For Opposition: Harold Klorfein, Department of Parks.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(772-39-A)

WHEREAS, Misam Realty Corporation, for Green-Norman Realty Corporation, owner, filed June 9, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 126 Beach 85th street, east side, 702.52 ft. south of Rockaway Beach boulevard (Block No. 620, Lot No. 11), Rockaway Beach, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 21, 1938, on N.B. Application 3168-38 reads:

"26—Zoning objection still pending (Construction O.K.)"

and

WHEREAS, the decision of the borough superintendent dated April 22, 1939, reads:

"I have your letter of April 10, 1939. I must still advise you that the matter is one which can only be decided by the Board of Standards and Appeals, inasmuch as no actual start of construction, which would constitute a substantial start, has been made at the time the zone change took effect. The reasoning outlined in your letter might be the basis of your appeal to the board, but it still would not vary the situation as far as the necessity of appealing to the board is concerned, inasmuch as they have jurisdiction over the variations of the building zone resolution and this office does not."

and

WHEREAS, the building is 98 ft. by 108 ft., irregular in area, located in a residence use district; and

WHEREAS, the applicant contends that the property was acquired prior to the change of zone from business to residence and plans were filed prior to the zoning change; that the owner went to substantial expense and let contracts for the erection of the building before the zoning resolution was changed; that the delay in starting the building was caused solely by the act of the superintendent of buildings in withholding action on the plans, and also because the plans required amendment, due to the taking of a portion of the property by the City; that the change of zone regulations did not affect the applicants right to erect the building for business purposes; that the borough superintendent erred in his disposition of the matter upon the facts as they existed; and

WHEREAS, it appeared from examination of the record of the borough superintendent of buildings, that there existed no basis for waiving the objection as to zoning and that there appeared to be no evidence of undue delay on the part of the borough superintendent in acting on the application and amendments and no ground for the applicant's claim that action was withheld pending proposed change of zone.

Resolved, that the decision of the borough superintendent, on N. B. Applic. 3168-38, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

MINUTES

781-39-A.

APPLICANT—Julius G. Cohn, for Cleaners and Dyers Union, Local No. 239, lessee, for Trustees of the Sailors' Snug Harbor, owner.

SUBJECT—Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—746-750 Broadway and 7 Astor place, northeast corner (3rd floor); (Block No. 545, Lot No. 59), Borough of Manhattan.

APPEARANCES—

For Applicant: Max J. Merbaum and Julius G. Cohn.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(781-39-A)

WHEREAS, Julius G. Cohn, for Cleaners and Dyers Union, Local No. 239, lessee, for Trustees of The Sailors' Snug Harbor, owner, filed on June 12, 1939, an appeal from an order and decision of the borough superintendent of buildings, affecting premises 746-750 Broadway and 7 Astor place, northeast corner (3rd floor); (Block No. 545, Lot No. 59), Borough of Manhattan; and

WHEREAS, Violation Order No. 4958-36, issued November 4, 1938, by the borough superintendent, reads:

"In that of changing use of building from business to public use (meeting rooms) without obtaining a certificate of occupancy."

and

WHEREAS, the above order is referred to in a decision of the borough superintendent, dated June 8, 1939; and

WHEREAS, the building is non-fireproof, cellar and 7 stories (80 ft.) in height, 82 ft. 9 in. by 106 ft. 9 in. in area; erected in 1881; located in a business use district; occupied since 1937: Cellar—boiler room; 1st floor—stores; 2nd and 3rd floors—offices; 4th floor—recreation and offices; 5th floor—same; 6th and 7th floors—vacant; and

WHEREAS, on April 20, 1939, upon reinspection, the borough superintendent stated that the use of the building comes within the classification of public use; and

WHEREAS, the applicant contends that the premises occupied by the Cleaners and Dyers Union, are not occupied as meeting rooms but as business offices; that the occupancy of the building has not been changed.

Resolved, that the order of the borough superintendent, on Viol. Order No. 4958-36, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the premises shall not be used for public assembly and that the number of occupants shall not exceed the number legally permitted by the exits of the building.

791-39-A.

APPLICANT—William F. Hemstreet, for Eleanor M. Salter, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—37 Adrian avenue, west side, 454.99 ft. north of West 225th street (Block No. 2215, Lot No. 292), Borough of Manhattan.

APPEARANCES—

For Applicant: William F. Hemstreet.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
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Negative	0
Absent	0

THE RESOLUTION—

(791-39-A)

WHEREAS, William F. Hemstreet, for Eleanor M. Salter, owner, filed June 14, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 37 Adrian avenue, west side, 454.99 ft. north of West 225th street (Block No. 2215, Lot No. 292), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alteration Application No. 1267-39, dated June 13, 1939, reads:

"1. Proposed change of occupancy of frame building from one to two families with living rooms on more than two stories, is contrary to section 8.7.2.1 of building code; attic or third floor occupancy for living purposes is contrary to section 4.2.1 building code. See section 2.1.3.5 of B.C. Reconsideration denied."

and

WHEREAS, the building is two stories and attic (27 ft. 6 in.) in height, 19 ft. 6 in. by 44 ft. in area at first story, 19 ft. 6 in. by 30 ft. in area at 2nd story, of frame construction on a lot 37 ft. 5 in. by 100 ft. in area, located in residence use, "B" area district, erected about 1888, and occupied as a one family dwelling throughout. It is proposed to occupy the building: Basement, boiler room and fuel storage—first floor, 1 family; 2nd floor, attic, 1 family, total—2 families; and

WHEREAS, the applicant contends that the building is too large for a single family occupancy and that there will be no cooking on the attic story.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1267-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the frame building to be occupied by not more than two families, *on condition* that the owner shall file with the borough superintendent an agreement that at no time shall the building be occupied by more than two families, one family occupying the first floor and one family occupying the second floor and attic; that there shall be no cooking on the attic story; that in all other respects the building shall comply with all requirements of the building code; that the building shall not be further increased in height or area; that the lot shall not be reduced; that there shall be a second means of exit constructed from the attic story, which may be by means of an exterior steel ladder or fire escape to an extension roof or balcony at the second story level and thence by means of a drop or counter-balanced ladder to grade.

807-39-A.

APPLICANT—Harry A. Yoe, for London Terrace, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—224-240 Tenth avenue, east side, from West 23rd street to West 24th street, 465 West 23rd street and 470 West 24th street (Block No. 721, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry A. Yoe and Alan M. E. Johnstone.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

MINUTES

THE RESOLUTION—

(807-39-A)

WHEREAS, Harry A Yoe, for London Terrace, Inc., owner, filed June 16, 1939, an appeal from an order and a decision of the fire commissioner affecting premises 224-240 Tenth avenue, east side, from West 23rd street to West 24th street, 465 West 23rd street and 470 West 24th street (Block No. 721, Lot No. 1), Borough of Manhattan; and WHEREAS, Order No. 1475-LC, issued by the fire commissioner May 27, 1936, reads:

"With reference to your application dated April 23, 1936 for a permit to store and use liquefied chlorine in connection with swimming pool at above location, I regret to inform you that I am without power to grant such a permit for the reason building is used as a dwelling (Code of Ordinances) and as a multiple dwelling (Code of Ordinances, Sec. 214-a-4F).

YOU ARE THEREFORE, HEREBY, ORDERED TO

1. Discontinue the storage and use of liquefied chlorine on these premises in violation of the provisions of the Code of Ordinances and Section 58 of the Multiple Dwelling Law."

and

WHEREAS, said decision was referred to in a decision of the fire commissioner dated June 6, 1939; and

WHEREAS, the building is 19 stories (170 ft.) in height, 125 ft. by 200 ft. in area, of fireproof construction, equipped with a standpipe system, erected in 1931 and located in a business and residence use district and occupied: Cellar—storage of machinery, no persons; 1st floor—offices and stores; 2nd floor to 19th floor, inclusive—multiple dwelling; and

WHEREAS, it is proposed to maintain one 100 pound cylinder of liquid chlorine connected to the injector for use in connection with the swimming pool of the premises and to maintain one unopened cylinder of 100 pounds in reserve in the chlorine room, which is constructed of 8 inch brick walls and concrete floor and masonry ceiling with a tight fitting metal door. This room is equipped with a sprinkler head and floor drain and 4 inch exhaust duct leading through the roof; and

WHEREAS, the applicant contends that a summons was issued in connection with the former use of chlorine and summons was obeyed and the use of other chemicals substituted for purifying the water of the swimming pool; that the use of the other chemicals has proved expensive and has given unsatisfactory services, thus working undue hardship on the owner; that the entrance to the chlorine room is through a basement corridor to the filter room and then to the chlorine room itself; that the basement corridor has a large number of entrances to the street as shown on plans filed with this appeal; that an exhaust blower will be installed in the existing exhaust duct; that a remote control switch located in the basement corridor a sprinkler head in the chlorine room will be controlled by a new valve located in the basement corridor at the doorway to same as shown on plans filed with this appeal; and

WHEREAS, in the opinion of the board, section 58 prohibits the use of liquefied chlorine as an article deleterious to health in a Multiple dwelling.

Resolved, that order of the fire commissioner No. 1475-LC be and it hereby is *affirmed* and that appeal be and it hereby is *denied*.

869-39-A.

APPLICANT—Jacob J. Gloster, for Hermano Signorelli, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1560 46th street, east side, 180 ft. 4 in. north of 16th avenue (Block No. 5436, Lot No. 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob J. Gloster.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(869-39-A)

WHEREAS, Jacob J. Gloster, for Hermano Signorelli, owner, filed June 27, 1939, an appeal from a decision of the acting borough superintendent of buildings affecting premises 1560 46th street, east side, 180 ft. 4 in. north of 16th avenue (Block No. 5436, Lot No. 13), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent of buildings on Alteration Application 2353-39, dated June 20, 1939, reads:

"1. Change of occupancy from one family to two families in frame building with living rooms on more than two floors is contrary to section 2.1.3.5 and section 8.7.2.1 building code."

and

WHEREAS, the building is 2½ stories (32 ft.) in height, 24 ft. 4 in. by 36 ft. 4 in. in area of frame construction on a lot 40 ft. by 100 ft. in area, located in a residence use district, erected 1918, and occupied as a one family dwelling; it is proposed to occupy the building: Cellar, storage; first floor, 1 family; 2nd and attic stories, one family, total—two families; and

WHEREAS, it is proposed to provide a separate entrance to second floor—new bathrooms on first floor and install a kitchen on the second floor; and

WHEREAS, the applicant contends that the building is too large for one family occupancy; that conversions have been made to two family occupancies in the neighborhood; that the attic floor will not be changed in any way so as to be available for occupancy by a third family; that the first floor will be rented and the owner will occupy the second and third stories.

Resolved, that the decision of the acting borough superintendent, acting on Alt. Applic. 2353-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the frame building to be occupied by not more than two families, *on condition* that the owner shall file with the borough superintendent, an agreement that at no time will the building be occupied by more than two families, one family occupying the first floor and one family occupying the second floor and attic; that there shall be no cooking on the attic story; that in all other respects the building shall comply with all requirements of the building code; that the buildings shall not be increased in height or area; that the lot shall not be reduced; that there shall be a second means of exit constructed from the attic story, which may be by means of an exterior steel ladder or fire escape to an extension roof or balcony at the second story level and thence by means of a drop-or counter-balanced ladder to grade.

874-39-A.

APPLICANT—Harry Greenberg, for Reynolds Metals Co., for George Goldberg, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1702-1708 Albermarle road and 163-179 East 17th street, southeast corner (Block No. 5121, Lot Nos. 1, 3 and 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Greenberg.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(874-39-A)

WHEREAS, Harry Greenberg, for Reynolds Metals Co., for George Goldberg, owner, filed June 29, 1939, an appeal from a decision of the acting borough superintendent of buildings affecting premises 1702-1708 Albermarle road and 163-179 East 17th street, southeast corner (Block No. 5121, Lot Nos. 1, 3 and 5), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of new building Application 992-39, dated June 20, 1939, reads:

"1. The approval of the Board of Standards and Appeals in Resolution 714-38-SM requires perforation on reinforcing strips.

2. The continuous lathing of all floors before application of scratch coat is contrary to 8.4.10.2 of Code as the approval of the board only covers the material as a substitute for combustible lath."

and

WHEREAS, the building will be 6 stories (62 ft. 11½ in.) in height, 150 ft. by 140 ft. in area of Class 3 construction, located in a residence use district, to be occupied throughout as a Class A multiple dwelling; it is proposed to lath throughout the entire 6 stories; and

WHEREAS, the applicant contends that as the paper backing on the lath is flameproof, it should be accepted on the same basis as metal laths, which can be applied without interruption or the necessity of applying plaster; that it is proposed to omit the perforations on the reinforcing strips and that it is also proposed to use a small portion of 2 by 3 metal joists in connection with the installation involved.

Resolved, that the decision of the borough superintendent on N.B. Applic. 992-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the lath shall comply in all respects with the approval of the board under Cal. No. 714-38-SM as a substitute for combustible lath, except that perforations on the reinforcing strips may be omitted and shall comply in all other respects with the requirements of the building code for installation of "Metal Lath."

134-39-A.

APPLICANT—Randolph H. Almiroty, for Crawford Realty Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—232-234 West 28th street, south side, 370 ft. 1 in. east of Eighth avenue (Block No. 777, Lot Nos. 61 and 62), Borough of Manhattan.

APPEARANCES—

For Applicant: Randolph H. Almiroty.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(134-39-A)

WHEREAS, Randolph H. Almiroty, for Crawford Realty Company, owner, filed February 3, 1939, an appeal from an order and a decision of the borough superintendent,

affecting premises 232-234 West 28th street, south side, 370 ft. 1 in. east of Eighth avenue (Block No. 777, Lot Nos. 61 and 62), Borough of Manhattan; and

WHEREAS, the order of the borough superintendent, violation order No. 5800-1938, dated December 23, 1938, reads:

"You are hereby notified that the building situated on the front of the lot on the south side of West 28th street, commencing about 370 ft. 1 in. from the southeast corner of West 28th street and Eighth avenue, being a cellar and 5 story brick and stone building, about 49 ft. 10½ in. front, 49 ft. 10½ in. rear, 76 ft. deep and 55 ft. in height, and occupied as a store and apartments, and known as number 232-234 West 28th street, in the Borough of Manhattan, in The City of New York, does not conform to section 14.2.6 of the Building Code, Section C26-1225.0 of the Administrative Code in the respects noted below:

In that existing plumbing work does not conform with the new Building Code, in the following manner:

1—House traps not provided with brick manhole and cover contrary to section 14.9.9 of the Building Code and C26-1289.0 of the Administrative Code;

2—All existing sink traps throughout not vented contrary to section 14.9.22 of the Building Code and C26-1302.0 of the Administrative Code;

3—Existing hot and cold water risers not 6 inches apart, contrary to section 14.7.4 of the Building Code and C26-1271.0 of the Administrative Code;

4—Existing 3 waste lines not provided with Y and cleanout at foot of lines, contrary to section 14.5.7 of the Building Code and C26-1261.0 of the Administrative Code.

You are hereby directed to make said work conform to the requirements of the Administrative Code."

and

WHEREAS, the decision of the borough superintendent, dated January 6, 1939, reads:

"In reply to your letter of December 30, 1938, concerning proposed method of removing violation pending on above stated premises, in accordance with section 14.2.6 of the Building Code, please be advised that—

The water-closet units in above premises cannot be considered as replacements, as old water-closets and soil and vent lines were entirely removed. New water-closets and new soil and vent lines are installed in an entirely new location, and are considered as new work:

New water-closet accommodation equals 102 units, and two new 4 inch soil lines, and two new 3 inch vent lines, from house drain to roof.

Old work remaining, two 3 inch waste lines, two 2 inch vent lines, and kitchen sinks and bath tubs equaling 144 units; which makes new work in excess of 50% of original system, and therefore the whole system should be made to comply with this Code.

New soil and vent piping in connection with water-closets are actually double the length of old lines removed. On the whole, the installation is considered to be 70% more than the original installation."

and

WHEREAS, the building is 5 stories (55 ft.) in height, 49 ft. 10½ in. by 76 ft. in area, of non-fireproof construction, located in an unrestricted use district; erected approximately 1879, and occupied: Cellar—storage and heating; 1st floor—4 stores—12 persons; 2nd floor—8 apartments—24 persons; 3rd floor—8 apartments—24 persons; 4th floor—8 apartments—24 persons; 5th floor—8 apartments—24 persons, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the work complained of, has been installed for about 40 years and was

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legal at the time the work was performed and does not constitute a sanitary hazard; that there is no fecal matter passing through the lines involved, but only waste from sink and tub that these objections should have been filed while the other work was in process and not one month after the final completion, inspection and approval; that the return from the building is so low, owing to the character of tenants (relief), that the requirements if enforced, would work a great hardship on the owner, inasmuch as the sum already expended under the first requirements is approximately \$18,000, and no prospect of money ever being returned; and

WHEREAS, this appeal was granted by the board February 15, 1939, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of February 15, 1939, so that as amended, it shall read:

"Resolved, that the order of the borough superintendent, violation order No. 5800-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the continuation of the three existing waste lines provided same are vented through the roof or in lieu thereof that they shall be cut off at the bottom and capped and so long as they remain in good order in their original condition and with the original fixtures; that the existing three waste lines shall be provided with a "Y" and a cleanout at the foot of each line; that the house traps shall be provided with brick manholes and covers, as required by the administrative code; that the existing hot and cold water risers need not be spaced six inches apart; that in all other respects the plumbing equipment throughout the building shall comply with the requirements of the administrative code."

848-39-A.

APPLICANT—Charles W. Ferry, attorney, for Receiver, for Fahys Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to the calendar, having been previously dismissed for lack of prosecution—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—35-39 West 33rd street, north side, 277 ft. 3 in. east of Broadway (Block No. 835, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Daub.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal reopened, restored to calendar and denied.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(848-39-A)

WHEREAS, Charles W. Ferry, attorney for Receiver, for Fahys Realty Corporation, owner, filed June 23, 1939, an appeal from an order and a decision of the fire commissioner affecting premises 35-39 West 33rd street, north side, 277 ft. 3 in. east of Broadway (Block No. 835, Lot No. 15), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 3295-LF, dated December 1, 1938, reads:

"2. Repair the defective shutters with proper iron shutters or approved fireproof windows at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at north, east and west sides of building, or other approved protection."

and

WHEREAS, this order was referred to in the decision of the fire commissioner dated June 23, 1939; and

WHEREAS, the building is 6 stories (75 ft.) in height, 67 ft. 10 in. by 98 ft. 9 in. in area; of Class 3 construction; equipped with a standpipe system; erected in 1907; located in a retail use district and occupied: Cellar—storage; 1st floor—restaurant and ticket office, 100 persons; 2nd floor—photographer's offices, 5 persons; 3rd floor—furniture salesroom, 5 persons; 4th floor—salesroom for perfumes and canes, 5 persons; 5th floor—salesroom for perfumes, 5 persons; 6th floor—now vacant, proposed to be used for manufacturing; and

WHEREAS, the applicant contends that on the west wall there are 15 windows affected; on the north wall, 37 windows; on the east wall 8 windows on the 6th story are affected by reason of the exposure from the roof of the building to the east; 20 windows are affected from the 2nd to 5th floors by reason of the windows of the building to the east; that all of the windows which cause the exposures are protected with fireproof windows or iron shutters; that the present shutters on the building are beyond repair and in view of the non-hazardous occupancy and the fact that the windows forming the exposure are protected, it will be a hardship to be required to comply with the provisions of the order; and

WHEREAS, this appeal was dismissed for lack of prosecution, July 5, 1939 and reopened by vote of the board, July 11, 1939.

Resolved, that the order of the fire commissioner, No. 3295-LF, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

855-39-A.

APPLICANT—12-13 Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to the calendar, having been previously dismissed for lack of prosecution—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—717-723 East 12th street, north side, 443 ft. west of Avenue D and 716-722 East 13th street (Block No. 382, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Saul Godwin and Samuel Roth.

ACTION OF BOARD—Appeal reopened, restored to calendar and granted on condition.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(855-39-A)

WHEREAS, 12-13 Holding Corporation, owner, filed June 26, 1939, an appeal from a decision of the borough superintendent

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tendent of buildings affecting premises: 717-723 East 12th street, north side, 443 ft. west of Avenue D and 716-722 East 13th street (Block No. 382, Lot No. 22), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, N.B. Application 31-39, dated June 7, 1939, reads: "3. Sprinkler system should be maintained."

and

WHEREAS, the proposed building will be one story (27 ft.) in height, 99 ft. 4 in. by 206 ft. 6 in. in area of non-fireproof construction, located in an unrestricted use district and occupied: Cellar—boiler room; 1st floor—ice cream factory and office, 5 persons; and

WHEREAS, the applicant contends that the proposed occupancy is non-hazardous, that in view of the fact that the building and contents thereof are to be used as ice manufacturing plant, it contains no inflammable material; the building will be fireproof, except for the roof which will be of steel and timber; building will be sub-divided as shown on plans; it is pointed out that the largest area will be 11,600 square feet, which is only slightly above the 10,000 square feet permitted by the code. It is respectfully requested that a modification be granted, so as to permit the omission of the sprinkler system; and

WHEREAS, this appeal was dismissed for lack of prosecution July 5, 1939 and reopened by vote of the board, July 11, 1939.

Resolved, that the decision of the borough superintendent on N.B. Applic. No. 31-39, objection No. 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed substantially of the area shown on plans filed herein; that such area shall not be enlarged; that this modification shall continue only so long as the building is used as proposed, as a plant for the manufacture of ice cream or ice; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

VARIATIONS OF LABOR LAW

1156-38-S.

APPLICANT—A. C. Lefante, for Andrew Schirrmeister, owner.

SUBJECT—Application reopened April 11, 1939—re variation of the labor law as cited in a decision of the acting borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—661-663 Broadway, east side, 161 ft. 10½ in. south of Varet street (Block No. 3112, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. C. Lefante.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 18, 1939, at 2 p. m., on request of applicant.

718-39-S.

APPLICANT—Van Wart and Ackerman, for S. B. Thomas, Inc., owner.

SUBJECT—Variation of the Labor Law as cited in an order of the fire commissioner.

PREMISES AFFECTED—33-01 to 33-07 Queens boulevard, northeast corner of 33rd (Rawson) street (Block No. 243, Lot No. 9), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: F. G. Ackerman.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0
Absent 0

THE RESOLUTION—

(718-39-S)

WHEREAS, Van Wart and Ackerman, for S. B. Thomas, Inc., owner, filed on June 1, 1939, an application for variation of the Labor Law, as cited in an order of the fire commissioner, affecting premises: 33-01 to 33-07 Queens boulevard, northeast corner 33rd street (Block No. 243, Lot No. 9), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 2679-LF, dated May 2, 1939, reads:

"1. Remove panic bolts from exit doors on first story. Section 272 of the Labor Law."

and

WHEREAS, the building is fireproof, 4 stories (55 ft. 8 in.) in height, 80 ft. by 100 ft. in area; erected in 1921; located in an unrestricted district and occupied: Cellar—boiler room, supplies, flour, 3 persons; 1st floor, offices and wrapping room, 23 persons; 2nd floor, ovens and cooler, 21 persons; 3rd floor, muffin shop and dough room, 13 persons; 4th floor, storage stock—10 persons.. for which no certificate of occupancy has been issued; the building is equipped with two interior 3 ft. 8 in. steel stairs, enclosed in 8 in. brick, equipped with self-closing metal doors; and

WHEREAS, the applicant contends that the 2 doors in question, exit from the bottom of fireproof stairs directly to the street; that these doors are locked by panic bolts; that there are at least 2 additional doors, opening from the 1st floor direct to the street, which are kept unlocked; that the doors in question are required to be kept locked to prevent theft; that it is proposed to add a key cylinder to control the panic bolts from the exterior and the key for same will be furnished to the local fire house.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, and that the application be and it hereby is *granted*, permitting the installation of panic bolts on the existing doors at the first story at the foot of the stairways, *on condition* that the panic bolts shall be so arranged as to be openable at all times during business hours from the inside and openable on the outside by means of a key which shall be deposited at the local fire station.

APPLIANCES SUBMITTED FOR APPROVAL

30-35-SA.

APPLICANT—McDowell Sprinkler Corporation, for Apollo Magneto Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar, having been previously withdrawn—re Hydrolator Hose Valve, Types A and B—approval of.

APPEARANCES—

For Applicant: Edward Kiernan and H. E. Thatcher.

ACTION OF BOARD—Application reopened and referred to the engineer of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

259-25-SA.

APPLICANT—J. J. Morro, for Electrol, Incorporated, owner.

SUBJECT—Application for reopening—amendment of resolution to include approval of Model JM—Electrol Oil Burner.

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APPEARANCES—

For Applicant: John J. Morro.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(259-25-SA)

WHEREAS, Automatic Oil Burner Corp., filed March 6, 1925, an application for approval of their device known as the Electrol Automatic Oil Burner; and

WHEREAS, the application was granted by the board at its meeting June 29, 1925, approving the burner for use with Grade "B" fuel oil and in domestic installations and applicant has improved the burner incorporating a priming pump, electric ignition and electric automatic controls, and the board at its meeting November 3, 1926, approved the burner as improved for use with Grade "A" and Grade "B" fuel oil in domestic installations and applicant requested its approval for commercial installations; and

WHEREAS, the Electrol Distributing Corp. requested approval of a modified burner known as the Electrol Automatic Oil Burner, Model BB, and a report of the chief of the bureau of fire prevention, dated November 3, 1932, recommended the approval of the Model BB for domestic and commercial installations; and

WHEREAS, a further request was made for approval of the Electrol Automatic oil burner Models "C" and "EA"; and

WHEREAS, these Models "C" and "EA" were subject of a test and report by the Engineer of the board and the representative of the bureau of combustibles of the fire department, and the report recommended the approval of these models for domestic use; and

WHEREAS, the Homestead Engineering Corp., agent for Electrol, Inc., owner, requested an amendment to the resolution to include approval of Model TCV and the report of the engineer of the board recommended the approval of model TCV for domestic and commercial installations; and

WHEREAS, J. J. Morro, for Electrol, Inc., owner, requested a further amendment to the resolution to include the approval of Models TUV and TM; and

WHEREAS, these models were approved by the board June 21, 1938 and J. J. Morro requested approval of Model JM; and

WHEREAS, this model was inspected and tested by a committee of the board and found to operate satisfactorily.

Resolved, that the Board of Standards and Appeals does hereby approve the Electrol Automatic Oil Burner as improved in accordance with report of engineer of the board, for domestic and commercial installations, using Grade "A" and Grade "B" fuel oil, on condition and in conjunction with installations and equipment complying with the rules of the Board of Standards and Appeals.

Resolved, further, that the Board of Standards and Appeals does also approve the device known as the Electrol Automatic Oil Burner, Model BB, for domestic and commercial installations when installed in accordance with the report of the chief of the bureau of fire prevention and the rules of the Board of Standards and Appeals.

Resolved, further, that the Board of Standards and Appeals does also approve the device known as the Electrol Automatic Oil Burner, Models C and EA for domestic installations, when installed in accordance with Oil Burner Rules of the Board of Standards and Appeals and the report of the engineer of the board and the bureau of combustibles, fire department, for use with fuel oil heavier than No. 3, U. S. Dept. of Commerce Standards.

Resolved, further, that the Board of Standards and Ap-

peals does also approve the Electrol Automatic Oil Burner, Model TCV, for domestic and commercial installations with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals.

Resolved, further, that the Board of Standards and Appeals does also approve the Electrol Automatic Oil Burner, Models TUV, TM and JM for domestic and commercial installations with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards and when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, on condition that the burner shall have permanently affixed thereto a label reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 259-25-SA.

839-38-SA.

APPLICANT—Joseph A. Ross, for Modern Utilities Eng. Co., for Gilbert and Barker Mfg. Co., owner.

SUBJECT—Ballard Oil Burner, Model BAO, Esso Oil Burner, Model EBOO and Gilbarco Oil Burner, Model GBOO—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of the committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(839-38-SA)

WHEREAS, Joseph A. Ross, for Modern Utilities Eng. Co., for Gilbert and Barker Mfg. Co., owner, filed October 3, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as Ballard Oil Burner, Model BAO; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 839-38-SA.

Approval of Ballard Oil Burner, Model BAO
and to market the Burner as Esso, Model
EBOO and Gilbarco, GBOO.

These burners are manufactured by the Gilbert and Barker Manufacturing Company, Springfield, Mass., and are to be marketed under the names given above. In construction, operation and controls, each of the three models mentioned above is the same. The only difference is the name and model number under which they are sold.

The burner was installed in an ordinary type domestic steam heating plant, and consisted of the following assembly: Ohio 1/6 H.P. motor; Webster Fuel unit, consisting of pump, strainer and pressure regulating valve; Sirocco type fan and a Gilbert and Barker nozzle.

Ignition—electric—Webster transformer 110 to 10,000 volts.

Controls—Minneapolis Honeywell controls consisting of Protecto-relay R117-3 and Pressuretrol L404.

With the oil supply shut off and a cold combustion chamber, the burner was operated and the controls functioned and shut the burner down in 75 and 78 seconds respectively. The burner was then put into normal operation and during the period of test it was found that all controls functioned as designed.

It is therefore recommended that the Ballard Oil Burner, Model BAO, be approved for the use of No.

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1, 2 and 3 grades of fuel oil, for domestic and commercial use, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals. It is further recommended that permission be granted to market the burner under the name Esso, Model EBOO and Gilbarco, GBOO on condition that under whatever name marketed, the burner bear a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 839-38-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Ballard Oil Burner, Model BAO, *on condition* that the appliance be manufactured, installed, operated and labelled in accordance with above report.

Resolved, further, that this appliance may also be marketed as the Gilbarco Oil Burner, Model GBOO and the Esso Oil Burner, Model EBOO, under the conditions set forth in the report.

MATERIALS SUBMITTED FOR APPROVAL

304-39-SM.

APPLICANT—George E. Strehan, for Atlantic Metal Products, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Atlantic Hollow Metal Fire Door.

APPEARANCES—

For Applicant: George E. Strehan, Albert Klein and Benjamin Katz.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(304-39-SM)

WHEREAS, George E. Strehan, for Atlantic Metal Products, Inc., owner, filed March 10, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Atlantic Hollow Metal Fire Door, under the provisions of C26-610.0 Adm. Code (10.1.18 BC) and C26-661.0 Adm. Code (10.8.2 BC), for a rating of one and one-half hours; and

WHEREAS, this door was approved April 4, 1939 and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 4, 1939, by adding thereto:

"Resolved, further, that this door may be constructed in the factory of the Williamsburg Fireproof Products Corp., at 86 Quay street, in addition to the factory of the Atlantic Metal Products, Inc., at 515 48th avenue, Long Island City, provided that in whichever factory manufactured, the door shall meet the requirements of this approval and that the product shall be inspected by the borough superintendent of buildings, as set forth in the report herein, or in lieu thereof that each door shall be inspected by an inspection service approved by this board and each door labelled by such service as

complying with this approval and with the name of the manufacturer thereon."

347-39-SM.

APPLICANT—Lone Star Cement Corporation, owner.
SUBJECT—Lone Star Portland Cement and "Incor" High Early Strength Portland Cement—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(347-39-SM)

WHEREAS, Lone Star Cement Corporation, owner, filed March 18, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Lone Star Portland Cement and "Incor" High Early Strength Portland Cement; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 347-39-SM

Subject: Lone Star Portland Cement and
Incor High-early-Strength Portland Cement
approval of

July 10, 1939.

The Lone Star Cement Corporation, owner, filed with the board an application for approval of Lone Star Portland Cement and "Incor" High-early-strength Portland Cement, as manufactured by the applicant at Nazareth, Pa., and Hudson, N. Y., for use in New York City, pursuant to section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC).

These materials were tested in the presence of a representative of the committee on tests at the applicant's laboratory at Hudson, New York.

A record of the supply of raw materials filed with the board indicates that consistently homogeneous raw materials are available for at least 40 years.

Flow sheets have been filed indicating the methods of manufacture of these products.

Samples of these materials were tested in accordance with the requirements of Federal Specifications SS-C-191-A and SS-C-201 and pursuant to the methods prescribed in Federal Specifications SS-C-158 with the following results:

LONE STAR PORTLAND CEMENT (NAZARETH MILL) PHYSICAL TESTS

As Tested	Federal Spec. SS-C-191-A	A.S.T.M. Spec.
Surface Area 1545 Sq. cm. Gm.	1500	—
Soundness O.K.	Sound	Sound
Initial Set 3 hr. 32 min.	Not less than 60 min.	Not less than 45 min.
Final Set 5 hr. 42 min.	Not more than 10 hrs.	Not more than 10 hrs.
Compressive Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 7 days 2862	1800	—
28 days 4392	3000	—

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<i>As Tested</i>	<i>Federal Spec. SS-C-191-A</i>	<i>A.S.T.M. Spec.</i>
Tensile Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 7 days 411	275	275
28 days 450	350	350

CHEMICAL ANALYSIS

	<i>Not More Than</i>	<i>Not More Than</i>
SiO ₂	19.40	—
Al ₂ O ₃	7.23	7.50
Fe ₂ O ₃	2.89	6.00
CaO	63.36	—
MgO	3.27	5.00
SO ₃	1.86	2.00
LOSS on Ignition	0.68	4.00
TOTAL	98.69	—
INS. RES.	0.16	0.75
3 CaO.Al ₂ O ₃	14.25	15.0

COMPOUND COMPOSITION

C ₃ S	46.89
C ₂ S	20.31
C ₃ A	14.28
C ₄ AF	8.78
CaSO ₄	3.16
Free MgO	3.27
Free CaO	1.32
Ign. Loss	0.68

LONE STAR PORTLAND CEMENT (HUDSON MILL)

PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec. SS-C-191A</i>	<i>A.S.T.M. Spec.</i>
Surface Area		
1810 Sq. cm. gm.	1500	—
Soundness		
O.K.	Sound	Sound
Initial Set		
3 hr. 33 min.	Not less than 60 min.	Not more than 45 min.
Final Set		
5 hr. 40 min.	Not more than 10 hrs.	Not more than 10 hrs.
Compressive Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 7 days 2554	1800	—
28 days 3950	3000	—
Tensile Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 7 days 363	275	275
28 days 444	350	350

CHEMICAL ANALYSIS

	<i>Not More Than</i>	<i>Not More Than</i>
SiO	22.46	—
Al ₂ O ₃	4.70	7.50
Fe ₂ O ₃	4.32	6.00
CaO	63.90	—
MgO	1.46	5.00
SO ₃	1.67	2.00
LOSS on Ignition	0.86	4.00
TOTAL	99.37	—
INS. RES.	0.16	0.75
3CaO.Al ₂ O ₃	5.18	15.00

COMPOUND COMPOSITION

C ₃ S	43.47
C ₂ S	31.67
C ₃ A	5.14
C ₄ AF	13.13
CaSO ₄	2.84
Free MgO	1.46
Free CaO	0.80
Ign. Loss	0.86

INCOR HIGH-EARLY-STRENGTH PORTLAND CEMENT (NAZARETH MILL)

PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec. SS-C-201</i>	<i>A.S.T.M. Spec.</i>
Surface Area		
2285 Sq. cm. Gm.	1900	1900
Soundness		
O.K.	Sound	Sound
Initial Set (Gillmore)		
2 hr. 29 min.	Not less than 60 min.	Not less than 60 min.
Final Set		
4 hr. 28 min.	Not more than 10 hrs.	Not more than 10 hrs.
Compressive Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 1 day 1342	1250	1300
3 days 3175	2500	3000
7 days 4917	3500	—
28 days 5675	—	—
Tensile Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 1 day 301	275	275
3 days 417	375	375
7 days 485	425	—
28 days 493	—	—

CHEMICAL ANALYSIS

	<i>Not More Than</i>	<i>Not More Than</i>
SiO ₂	18.76	—
Al ₂ O ₃	7.18	7.50
Fe ₂ O ₃	3.14	6.00
CaO	63.86	—
MgO	3.01	5.00
SO ₃	2.45	2.50
LOSS on Ignition	0.74	4.00
TOTAL	99.14	—
INS. RES.	0.19	0.75
3CaO.Al ₂ O ₃	13.56	15.00

COMPOUND COMPOSITION

C ₃ S	53.32
C ₂ S	13.62
C ₃ A	13.72
C ₄ AF	9.54
CaSO ₄	4.17
FREE MgO	3.01
FREE CaO	1.02
Ign. Loss	0.74

INCOR HIGH-EARLY-STRENGTH PORTLAND CEMENT (HUDSON MILL)

PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec. SS-C-201</i>	<i>A.S.T.M. Spec.</i>
Surface Area		
2650 Sq. cm. Gm.	1900	1900
Soundness		
O.K.	Sound	Sound

MINUTES

<i>As Tested</i>	<i>Federal Spec. SS-C-201</i>	<i>A.S.T.M. Spec.</i>
Initial Set (Gillmore) 2 hrs. 51 min.	Not less than 60 min.	Not less than 60 min.
Final Set 4 hrs. 53 min.	Not more than 10 hrs.	Not more than 10 hrs.
Compressive Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 1 day 1796	1250	1300
3 days 3433	2500	3000
7 days 5087	3500	
28 days 6275		
Tensile Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 1 day 347	275	275
3 days 417	375	375
7 days 482	425	
28 days 535		

CHEMICAL ANALYSIS

	<i>Not More Than</i>	<i>Not More Than</i>
SiO ₂	20.82	
Al ₂ O ₃	4.89	7.50
Fe ₂ O ₃	3.73	6.00
CaO	65.30	
MgO	1.54	5.00
SO ₃	2.43	2.50
LOSS	0.90	4.00
TOTAL	99.61	
INS. RES.	0.15	0.75
3 CaO.Al ₂ O ₃	6.66	15.00

COMPOUND COMPOSITION

C ₃ S	59.30
C ₂ S	15.02
C ₃ A	6.63
C ₄ AF	11.34
CaSO ₄	4.13
Free MgO	1.54
Free CaO	0.75
Ign. Loss	0.90

These materials are shipped in paper and cloth bags and in bulk.

As a result of these tests, it is accordingly recommended that Lone Star Portland Cement and "Incor" High-Early-Strength Portland Cement, as manufactured by the Lone Star Cement Corporation at Nazareth, Pennsylvania, and Hudson, New York, be approved for use in New York City, pursuant to section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3.BC) on condition that certified monthly reports signed by the applicant's chief chemist be filed with the board and that all bags be stamped, marked or labeled "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 347-39-SM," and when shipped in bulk its bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of the material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Lone Star Portland Cement and "Incor" High-Early-Strength Portland Cement, on condition that the material be manufactured,

used and labelled, stamped or tagged in accordance with above report.

494-39-SM.

APPLICANT—Murray and Sorenson, Incorporated, owner.

SUBJECT—Murray and Sorenson, Inc., Vacuum Breaker, Types No. 1 and No. 2—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(494-39-SM)

WHEREAS, Murray and Sorenson, Incorporated, owner, filed April 19, 1939, an application with the Board of Standards and Appeals for approval of the material, known as the Murray and Sorenson, Inc., Flush Valve Vacuum Breaker; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 494-39-SM.

Approval of Murray & Sorenson, Inc.,
Flush Valve Vacuum Breaker.

Murray and Sorenson, Inc., owner, filed April 19, 1939, an application with the Board of Standards and Appeals for approval of the Murray and Sorenson, Inc., Vacuum Breaker Types No. 1 and No. 2, these types were tested and found not satisfactory and the application was amended to substitute the Murray and Sorenson, Inc., Flush Valve Vacuum Breaker.

This Flush Valve Vacuum Breaker was subjected to vacuum tests on May 25, 1939, on the testing bench at 32 Vandewater street.

The unit which is designed for operation in conjunction with flush valve control fixture only, is of the mechanical principle utilizing the lever which closes the airports when water is introduced through the unit and affords checking arrangements, acting as a deterrent under vacuum conditions. The unit was subjected to vacuum test the equivalent of 26 inches of mercury without causing a rise of simulated contaminated water above the overflow rim of the fixture, nor did any water escape through the air vent under repeated tests. The report of the Department of Water Supply, Gas and Electricity is a part of the record in this application.

It is recommended that the Murray and Sorenson, Inc., Flush Valve Vacuum Breaker for flush valve controlled fixtures only, be approved for use in New York City on condition that each valve be stamped, labelled or marked: "Approved for use in New York City by the Board of Standards and Appeals under Cal. 494-39-SM," or in lieu thereof a die or stamp be made (and stamped or labelled on article, container, bag, box, bundle or cask) bearing the following inscription within a circle: Around the periphery, at the top, the word "Approved" along the bottom: "B. S. & A." in the center two lines, UPPER line reading "N.Y.C."—lower line reading "CAL. 494-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

MINUTES

and
WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Murray and Sorenson Flush Valve Vacuum Breaker *on condition* that the

material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

Adjourned, 6:00 P. M.

EDWARD V. BARTON, *Chief Clerk*.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessces in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

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OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 **APPROVED**: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 **AUTOMATIC PUMP**: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 **BURNER**: A device designed for the purpose of burning oil.
- 2.5 **COMMERCIAL INSTALLATIONS**—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 **CONTROLS**—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 **DISCHARGE LINE**: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 **DOMESTIC INSTALLATIONS**—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 **DWELLINGS**: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

- 2.10 **ELECTRICALLY GROUNDED**: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch ($\frac{1}{2}$ ") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 **FILL PIPE**: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 **FIRE RETARDING MATERIALS**:
 - 2.12.1 One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 **GROUND**: An electrical conductor having capacity to absorb current.
- 2.14 **INDUSTRIAL INSTALLATIONS**: Oil burner installations for industrial purposes.
- 2.15 **OIL**: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.
- 2.16 **OIL BURNING EQUIPMENT**: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 **OIL LEVEL INDICATING DEVICE**: A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (Ameri-

can Society for Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A. P. I.)	40-44°
No. 1 Fuel Oil	"	"	"	36-40°
No. 2	"	"	"	32-36°
No. 3	"	"	"	28-32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, 3/8 in. heads.
- Tanks over 120 in. in diameter to be of 3/8 in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or abroad storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart. Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20') feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet..... | 24,000 " |
| If distant 40 feet..... | 36,000 " |
| If distant 50 feet..... | 48,000 " |
| If distant 60 feet..... | 60,000 " |
| If distant 75 feet..... | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such control may be located immediately inside the

room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.14.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

RULES

lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.

- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline	
Autopulse Electric Oil Pump Outfit, Model		and Fuel Oil	175-35-SA
No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston		Quimby Screw Pump	1193-21-SA
Pattern Pump	372-21-SA	Range-O-Matic Oil Pump, Model 50 and Suc-	
Century Rotary	908-21-SA	tion Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB	
Enterprise Oil Pump	11-28-SA	and 77-OB	199-36-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
Goulds Hand Rotary	1133-25-SA	Teesdale Oil Pump, Types S, 2S and 4S.....	281-38-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Triplex Plunger	257-22-SA	Tuthill Fuel Oil Pump, Models L, LD and	
Hardinge Fuel Oil Pump.....	813-25-SA	30-LE Fuelstat	568-30-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Koerting Gear Pump.....	1264-25-SA	Viking	438-21-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Warren Oil Pump	1169-23-SA
Leiman Rotary	95-24-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Marsh Fuel Oil Pump.....	1050-23-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA	Worthington Duplex Double-Acting Steam	
M. D. Rotary	52-27-SA	Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA

RULES

RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939.
EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE
NEW YORK CITY CHARTER, FEBRUARY 27, 1939.

(835-38-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraphs 2 and 3, of the New York City Charter and C26-1268.0c 4 (14.7.1.3 BC) and C26-1277.0h (14.8.2.8 BC), of the Administrative Code.

Rule 1. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly from the City Water Supply System (and not supplied from separate riser and tank), shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the overflow level of the fixture, to prevent siphonage or backflow of contaminated water into the house water distribution piping and checked by the inspector.

Rule 2. Ballcocks.

Flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than one-half inch above the overflow outlet of the flush tank.

Rule 3. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the overflow level of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture.

Rule 4. Sterilizers.

Direct water supply piping connections to sterilizers are prohibited. The waste piping for sterilizers shall not connect directly with any drainage system; such waste piping shall discharge above an open, water supplied, trapped and vented fixture.

Rule 5. Aspirators—Water Siphons.

Water supply connections to aspirators, water siphons or similar apparatus shall be equipped with an

approved vacuum breaker and check valve, the check valve to be located between the fixture and vacuum breaker. The waste pipe for this type of apparatus shall not connect directly with any drainage system but shall discharge above an open, water supplied, trapped and vented fixture.

Rule 6. Bidets—Bed Pan Washers.

Water supply connection to bidets, bed pan washers, or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker.

Rule 7. Roof or Suction Tanks.

Water supply inlets to roof or suction tanks shall be located at least two inches above the overflow level of the tank.

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes to sump, well, or similar type pumps shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant agency from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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CHARLES M. BLUM

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OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

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Minutes of Regular Meeting July 18, 1939, at 10 A. M.,
Affecting Calendar Numbers 411-39-BZ, 200-33-BZ,
1047-38-BZ, 271-39-BZ, 294-39-BZ, 297-39-BZ, 302-39-BZ,
354-39-BZ, 432-39-BZ, 444-39-BZ, 502-39-BZ, 512-39-BZ,
542-39-BZ, 833-39-BZ and 511-39-A.

Minutes of Regular Meeting July 18, 1939, at 2 P. M.,
Affecting Calendar Numbers 52-39-BZ, 510-39-BZ,
805-39-BZ, 386-39-A, 581-39-A, 696-39-A, 698-39-A,
733-39-A, 873-39-A, 884-39-A, 886-39-GR, 906-39-A, 909-39-A,
916-39-A, 921-39-A, 922-39-A, 925-39-A, 944-39-A,
969-39-A, 972-39-A, 976-39-A, 392-39-A, 417-39-A, 726-39-A,
880-39-A, 898-39-A, 901-39-A, 907-39-A, 936-39-A,
945-39-A, 970-39-A, 454-32-A, 386-37-A, 1202-38-A,
71-39-A, 172-39-A, 345-39-A, 380-39-A, 397-39-A-WF,
402-39-A, 405-39-A, 449-39-A, 461-39-A, 462-39-A, 476-39-A,
501-39-A, 507-39-A, 538-39-A, 626-39-A, 672-39-A,
673-39-A, 683-39-A, 699-39-A, 723-39-A, 738-39-A, 740-39-A,
752-39-A, 771-39-A, 784-39-A, 788-39-A, 793-39-A,
808-39-A, 817-39-A, 819-39-A, 847-39-A, 850-39-A, 852-39-A,
866-39-A, 870-39-A, 879-39-A, 881-39-A, 883-39-A,
888-39-A, 889-39-A, 890-39-A, 891-39-A, 895-39-A, 896-39-A,
899-39-A, 900-39-A, 902-39-A, 903-39-A, 908-39-A,
910-39-A, 913-39-A, 958-39-A, 514-37-A, 905-39-S, 1156-38-S,
350-39-S, 175-39-SM, 497-39-SM and 811-39-SM.
(Remaining minutes of the meeting of July 18, 1939, will be printed in the Bulletin of August 1, 1939.)

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 4 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET

New Cases Filed up to July 18, 1939

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>	
936-39-A.....	F.D.....	Transportation of gasoline in Tank Trucks (not of approved type) in New York City,	Decision.
937-39-SM.....		Hercules Portland Cement, manufactured by Hercules Cement Corporation,	Material.
938-39-SM.....		Lockaire Board Form Rigid Building Insulation, manufactured by Mac Andrews and Forbes Company,	Material.
939-39-A.....	H.B.M.....	711-713 Columbus avenue, east side, 25 ft. 8½ in. south of West 95th street (Block No. 1225, Lot Nos. 62 and 63), Borough of Manhattan,	Alt. 1437-39.
940-39-SM.....		Medusa White Portland Cement, Medusa White Waterproofed Portland Cement, Medusa Gray Portland Cement and Medusa Gray Waterproofed Portland Cement, manufactured by Medusa Portland Cement Company,	Material.
941-39-SM.....		Diebold Safe and Lock Company, One and One-half Hour Hollow Metal Door, manufactured by Diebold Safe and Lock Company,	Material.
942-39-A.....	H.B.Q.....	125-20 150th avenue, west side, 80 ft. south of 126th street (Block No. 2703, Lot Nos. 36 and 38), South Ozone Park, Borough of Queens,	Viol. 3015-38.
943-39-A.....	H.B.M.....	200-214 Madison avenue, west side, from East 35th street to East 36th street, 13-17 East 35th street and 12-18 East 36th street (Block No. 865, Lot No. 14), Borough of Manhattan,	Alt. 1978-39.
944-39-A.....	F.D.....	East Bank of Harlem River, 128 ft. south of West 171st street (Block No. 2541, Lot Nos. 126-132), Borough of The Bronx,	Decision.
945-39-A.....	H.B.M.....	60 Hester street, south side, 43 ft. 6 in. west of Ludlow street (Block No. 298, Lot No. 15), Borough of Manhattan,	Alt. 621-39 and Decision.
946-39-A.....	H.B.Q.....	29-30 and 29-32 150th street, northwest corner of Bayside avenue (Block No. 4815, Lot No. 30), Flushing, Borough of Queens,	
947-39-SA.....		Fuelstat Model 30F (Oil Burner Pumping Unit),	Appliance.
948-39-SM.....		Vulcanite Portland Cement, manufactured by Vulcanite Portland Cement Company,	Material.
949-39-A.....	F.D.....	Southeast corner of East 136th street and Locust avenue (Block No. 2595, Lot No. 1), Borough of The Bronx,	Decisions.
950-39-BZ....	H.B.Bx....	3450-3452 Eastchester road, east side, 311 ft. north of Boston road and 3457-3459 Mickle avenue, west side, 280 ft. north of Boston road (Block No. 4723, Lot Nos. 15, 16, 17, 47 and 48), Borough of The Bronx,	Decision.
951-39-BZ....	H.B.B.....	1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn,	N.B. 1749-39.
952-39-A.....	H.B.B.....	679-723 Court street, southeast corner of Bryant street (Block No. 624, Lot No. 1), Borough of Brooklyn,	B.N. 4550-39.
953-39-A.....	H.B.B.....	487-493 Utica avenue, east side, 270 ft. north of Rutland road (Block No. 4591, Lot No. 58), Borough of Brooklyn,	Decision re N.B. 6081-38 and Applic. 973-29.
954-39-A.....	H.B.B.....	21 Hinckley place, north side, 140 ft. east of East 8th street (Block No. 5342, Lot No. 28), Borough of Brooklyn,	Alt. 2630-39.
955-39-A.....	F.D.....	93-29 170th street, east side, 78 ft. north of Douglas avenue (Block No. 1177, Lot No. 102), Jamaica, Borough of Queens,	986-L.F. and Decision.
956-39-A.....	H.B.Bx....	158-162 Southern boulevard, east side, 21.28 ft. south of East 135th street (Block No. 2563, Lot No. 1), Borough of The Bronx,	Ground Sign 75-39.
957-39-A.....	F.D.....	2101-2109 86th street and 8513-8523 21st avenue, northeast corner (Block No. 6347, Lot Nos. 1, 75 and 76), Borough of Brooklyn,	2743-L.F. and Decision.

N.B. 5848-39 and N.B. 5849-39.

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- 958-39-A.....H.B.M.....Blocks bounded by Centre, White, Baxter and Leonard streets (Block No. 167, Lot Nos. 1-51 inclusive), Borough of Manhattan, N.B. 228-37.
- 959-39-A.....H.B.M.....119-121 West 57th street, north side, 246 ft. west of Sixth avenue (Block No. 1010, Lot No. 21), Borough of Manhattan, Alt. 1945-39.
- 960-39-A.....H.B.B.....21-25 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn, Misc. Applic. 2671-39.
- 961-39-A.....H.B.Q.....80-11 189th street, east side, 80 ft. south of Union Turnpike (Block No. 7267, Lot No. 1), Flushing, Borough of Queens, N.B. 5315-39 and N.B. 5328-39.
- 962-39-SM.....Gritcrete Long Span Flat Ceiling Floor Construction, manufactured by Aerocrete Corporation of America, Material.
- 963-39-BZ....H.B.B.....2335 65th street, north side, 260 ft. east of 23rd avenue (Block No. 6559, Lot No. 64), Borough of Brooklyn, N.B. 2696-39.
- 964-39-SM.....Tyne Company Semi-Rigid Gas Range Connectors, manufactured by Tyne Company, Material.
- 965-39-A.....H.B.B.....66 87th street, south side, 325 ft. east of Narrows avenue (Block No. 6064, Lot No. 19), Borough of Brooklyn, Alt. 2738-39.
- 966-39-A.....H.B.B.....610-652 Henry street, west side, 106 ft. 1 $\frac{3}{8}$ in. north of Cole street (Public School No. 142); (Block No. 369, Lot Nos. 1-46 inclusive), Borough of Brooklyn, Decision.
- 967-39-A.....H.B.B.....769-827 Empire boulevard, north side, 100 ft. east of Troy avenue (Public School No. 221); (Block No. 1423, Lot Nos. 14, 15, 16, 19, 20, 21, 22, 35, 41, 43, 45, 47, 49, 50, 51, 52, 55 and 63), Borough of Brooklyn, Decision.
- 968-39-A.....H.B.M.....47-65 West 42nd street and 1100-1108 Sixth avenue, northeast corner (Block No. 1258, Lot No. 1), Borough of Manhattan, Decision.
- 969-39-A.....F.D.....168-186 Seventh street, south side 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21-28 inclusive), Borough of Brooklyn, 80371-L.C.
- 970-39-A.....H.B.M.....223-243 East 22nd street, and 381-387 Second avenue, northwest corner (Block No. 903, Lot No. 27), Borough of Manhattan, F.P. 507-39.
- 971-39-A.....F.D.....351-367 Fifth avenue, 188-198 Madison avenue, 3-19 East 34th street and 2-18 East 35th street (Block No. 864, Lot No. 1), Borough of Manhattan, 12491-L.C. and Decision.
- 972-39-A.....H.B.B.....8665 20th avenue, north side, 133 ft. west of Benson avenue (Block No. 6375, Lot No. 7), Borough of Brooklyn, Alt. 2019-39.
- 973-39-SA.....Estate In-A-Floor Gas Heatrolas (Flue Connected), Nos. 75, 45, 30 and 20, Appliance.
- 974-39-SA.....Reel Way Hose Reel Attachment for Gasoline Pumps, Appliance.
- 975-39-A.....F.D.....93-97 Broad street, 57 Pearl street, northeast corner and 22 Stone street (Block No. 29, Lot No. 1), Borough of Manhattan, 4208-L.F. and Decision.
- 976-39-A.....H.B.M.....50 West 225th street, south side, 661 ft. east of Broadway (Block No. 2215, part of Lot No. 700), Borough of Manhattan, F.P. 242-39.
- Restored to Calendar.*
- 752-39-A.....F.D.....245 Russell street, northeast corner of Meserole street (Block No. 2628, Lot No. 6), Borough of Brooklyn, 79779-L.C.
- 345-39-A.....H.B.Q.....72-17 to 72-19 Austin street, north side, 55.10 ft. east of Roman avenue (Block No. 3258, Lot No. 28), Forest Hills, Borough of Queens, Alt. 7679-38.
- 207-33-BZ....H.B.Bx....3090-3102 Webster avenue and 401-409 East 203rd street, northeast corner (Block No. 3330, Lot Nos. 65, 66, 67 and 68), Borough of The Bronx, Decision re Certificate of Occupancy.

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387-39-BZ....H.B.Q.....126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1) Corona, Borough of Queens,
Applic. 592-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Ex.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI ORDERS SERVED ON BOARD OF STANDARDS AND APPEALS

On July 21, 1939, Dwyer, Gold, Kennedy and Dunnigan, attorneys, served on Board petition and order of certiorari on behalf of John W. Schneider, owner, in re decision of Board of May 31, 1939, denying variance to permit stores in a residence district, under section 21, Cal. No. 269-39-BZ, premises 1334-1336 Storrow street, Borough of The Bronx.

On July 25, 1939, Samuel Litvin, attorney, served on Board petition, and order of certiorari, on behalf of Ann Smith, in re decision of Board on June 20, 1939, denying, under section 7-h, parking and storage of more than five (5) motor vehicles, in business district, in addition to sale of used cars, an existing use, Cal. No. 497-37-BZ, premises 1203-1235 East New York avenue, northeast corner of Ralph avenue and Union street, Borough of Brooklyn.

COURT DECISION

Namrac Realty Corp. vs. Murdock—On February 21, 1939, Board affirmed decision of Boro. Supt. of Buildings acting on Alt. Application No. 3668-38, "the proposed conversion of a hereafter converted 'A' Multiple Dwelling is not acceptable. Building must conform to Section 8 M.D.L. for buildings hereafter erected"; Cal. No. 101-39-A, premises 316 W. 104th street, Borough of Manhattan. Mr. Justice Steuer sustained board and granted motion to dismiss certiorari (N.Y.L.J., July 20, 1939). No opinion.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules.....	June 20, 1939—Vol. 24, No. 25
Certificate of Occupancy, approved form.....	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime).....	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules.....	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	May 16, 1939—Vol. 24, No. 20
Fire Alarm Rules (Interior).....	Apr. 25, 1939—Vol. 24, No. 17
Fire Drill Rules.....	June 27, 1939—Vol. 24, No. 26
Fire Retarding Rules for Garages, etc.....	July 11, 1939—Vol. 24, No. 28
Fireproof Wood, Testing of.....	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules.....	Nov. 1, 1938—Vol. 23, No. 44
Gas Shut-Off Rules.....	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection.....	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules.....	June 20, 1939—Vol. 24, No. 25
Oil Burner Rules.....	July 18, 1939—Vol. 24, No. 29
Paint, Varnish and Lacquer Spraying Rules.....	July 11, 1939—Vol. 24, No. 28
Platform Trucks, Specifications for.....	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules.....	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Contamination of Water Supply).....	July 18, 1939—Vol. 24, No. 29
Procedure, Rules of.....	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.....	July 4, 1939—Vol. 24, No. 27
Smoking in Factories, Rules for.....	July 18, 1939—Vol. 24, No. 29
Sprinkler Rules.....	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.....	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves.....	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....	Apr. 25, 1939—Vol. 24, No. 17
Fuel Oil Burners for Domestic and Commercial Use.....	Jan. 3, 1939—Vol. 24, No. 1
Fuel Oil Fill Pipe Terminals.....	May 9, 1939—Vol. 24, No. 19
Fuel Oil Burners for Industrial Use.....	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Pumps.....	July 18, 1939—Vol. 24, No. 29
Gas Heaters.....	May 9, 1939—Vol. 24, No. 19
Paint, Varnish and Lacquer Spraying Equipment.....	July 11, 1939—Vol. 24, No. 28
Range Oil Burners and Space Heaters.....	Jan. 3, 1939—Vol. 24, No. 1
Vacuum Breakers.....	May 9, 1939—Vol. 24, No. 19

ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 12, 1939, at 10 a.m.

SEPTEMBER 12, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, Tuesday morning, September 12, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 411-39-BZ—Application, March 31, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Violet Bazerman, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

CAL. NO. 721-39-BZ—Application, May 31, 1939, under section 7d of the building zone resolution, of New York Telephone Company, applicant and owner, to permit in a residence use district, the extension of an existing central telephone exchange; premises 182-08 to 182-26 140th avenue, east side, from 182nd street to 183rd street, 140-01 to 140-11 182nd street and 140-02 to 140-10 183rd street (Block No. 3781, Lot No. 1), Springfield Gardens, Borough of Queens.

CAL. NO. 742-39-BZ—Application, June 5, 1939, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of F. D. Koehler Co., Inc., owner, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline service station; premises 1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

CAL. NO. 750-39-BZ—Application, June 7, 1939, under sections 7c and 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of Abraham Finger and Mollie Finger, owners, to permit in a business use district, the extension of and, also, the reconstruction

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tion of buildings on an existing gasoline service station; also, the parking of more than five (5) motor vehicles; premises 491-497 East 133rd street, northeast corner of Brown place (Block No. 2261, Lot Nos. 15 and 17), Borough of The Bronx.

CAL. NO. 1222-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Louis Caner, owner, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores); premises 794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

CAL. NO. 1224-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Max Shifrin, owner, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 695-697 New Lots avenue, north side, 21 ft. 1 in. west of Jerome street (Block No. 4091, Lot No. 16), Borough of Brooklyn.

CAL. NO. 503-38-BZ—Application, June 17, 1938, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Miriam Osborn Memorial Home Association, Inc., Mary T. Howard, Mary Cory and Gertrude Hughes, owners (Arnold C. Gordon, lessee), to permit partly in an unrestricted use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2327-2331 Bathgate avenue, west side, 25 ft. south of East 185th street and 2326-2330 Bassford avenue (Block No. 3053, Lot Nos. 28, 31, 32 and 49), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 12, 1939, 2 P. M.

Appeal from Administrative Decision

698-39-A—115-23 Jamaica avenue and 86-28 116th street, northwest corner (Block No. 192, Lot Nos. 20 and 21), Richmond Hill, Borough of Queens.

Variation of Labor Law

905-39-S—8-10 Fulton street, 1-13 Furman street, southeast corner and 1-11 Doughty street (Block No. 200, Lot No. 1), Borough of Brooklyn.

SEPTEMBER 19, 1939, 2 P. M.

Appeals from Administrative Decisions

906-39-A—419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan.

916-39-A—54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens.

944-39-A—East Bank of Harlem River, 128 ft. south of West 171st street (Block No. 2541, Lot Nos. 126-132), Borough of The Bronx.

SEPTEMBER 22, 1939, 10 A. M.

SPECIAL MEETING.

Appeals from Administrative Decisions

886-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

921-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

922-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

SEPTEMBER 26, 1939, 2 P. M.

Appeals from Administrative Decisions

733-39-A—177-181 Concord street, northeast corner of Duffield street (Block No. 109, Lot No. 25), Borough of Brooklyn.

752-39-A—245 Russell street, northeast corner of Meserole avenue (Block No. 2628, Lot No. 6), Borough of Brooklyn.

873-39-A—110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn.

884-39-A—81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens.

909-39-A—166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens.

925-39-A—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

969-39-A—168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21 to 28, inclusive), Borough of Brooklyn.

972-39-A—8665-20th avenue, north side, 133 ft. west of Benson avenue (Block No. 6375, Lot No. 7), Borough of Brooklyn.

976-39-A—50 West 225th street, south side, 661 ft. east of Broadway (Block No. 2215, part of Lot No. 700), Borough of Manhattan.

OCTOBER 10, 1939, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

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386-39-A—41-45 Elliott place, northwest corner of Walton avenue (Block No. 2842, Lot No. 22), Borough of Brooklyn.

581-39-A—1510 Jessup avenue, east side, 884.8 ft. south of Featherbed lane (Block No. 2872, Lot Nos. 287, 293, 296, 298, 299 and 300), Borough of The Bronx.

OCTOBER 17, 1939, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, Tuesday morning, October 17, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JULY 18, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, June 27, 1939 and the minutes of the regular meeting of the board held on Tuesday afternoon, June 27, 1939, were approved as printed in Bulletin No. 27, Vol. 24. The minutes of the regular meeting of the board held on Wednesday morning, July 5, 1939 and the minutes of the regular meeting of the board held on Wednesday afternoon, July 5, 1939, were approved as printed in Bulletin No. 28, Vol. 24.

BUILDING ZONE CASES

411-39-BZ.

APPLICANT—Lama and Proskauer, for Violet Bazer-
man, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Jacob Bazer-
man.

For Opposition: M. A. Levin, M. F. J. Fellmer, B. F. Murphy, William Oberman, Daniel Bayer, Samuel Kuperschmid, Harold Klorfein and D. Widner.

ACTION OF BOARD—Laid over to September 12, 1939, at 10 a.m.

200-33-BZ.

APPLICANT—Herman Glicker (lessee), for Consolidated Edison Company of New York, Inc., owner.

SUBJECT—Application reopened May 23, 1939, under new proposal—(decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously granted on condition, permitting the erection of a gasoline

service station—said gasoline service station not erected).

PREMISES AFFECTED—2153-2155 First avenue and 331-347 East 111th street, northwest corner (Block No. 1683, Lot No. 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles L. Fleece.

For Opposition: Harold Klorfein and William Brafman.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(200-33-BZ)

WHEREAS, this application, to permit in a business use district, the erection and maintenance of a gasoline service station, affecting premises: 2153-2155 First avenue and 331-347 East 111th street, northwest corner (Block No. 1683, Lot No. 18), Borough of Manhattan, was granted by the board, November 8, 1933; and

WHEREAS, this gasoline station was not erected and Herman Glicker, lessee for Consolidated Edison Company of New York, Inc., owner, requested a reopening of the application under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years the parking and storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened May 23, 1939 by vote of the board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that First avenue is in a business, unrestricted and residence use district; East 111th street is in a business, unrestricted and residence use district; East 112th street is in a business use district and Second avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent, dated April 26, 1939, reads:

"Your application dated April 14, 1939 for a certificate of occupancy for the use of the above premises for the parking and storage of more than five motor

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vehicles has been denied, for the reason that the premises are located in a business district, where this occupancy is prohibited by section 4 of the Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 225 ft. on East 111th street, 76 ft. on First avenue and a distance of 101 ft. along the westerly lot line. It is proposed to occupy the plot for a temporary period of not more than two (2) years, for storage and parking of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h thereof, to permit the premises to be occupied for the transient parking only of more than five (5) motor vehicles for a period of two years from the date of this resolution, *on condition* that the plot shall be leveled substantially to the grade of East 111th street; that there shall be erected on the interior lot lines, where masonry walls of existing buildings do not occur, a substantial woven wire fence not less than 6 ft. in height; that a similar fence shall be erected along the street building lines with no entrance therein except two where shown from East 111th street, each not exceeding 15 ft. in width with curb cuts opposite of similar width; that during the term of this variance, the premises shall be used for no other use than the transient parking herein permitted; that the entire plot shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting; that no building shall be erected thereon, except there may be erected a building not over one story in height and not over 150 sq. ft. in area as an office and shelter for the attendant; that such building may be constructed of frame; that proper aisles shall be maintained at all times for easy entrance and egress of motor vehicles; that only motor vehicles of the pleasure-car type shall be parked; that lights erected for illumination shall be on metal standards with metal reflectors so arranged as to reflect away from adjoining residential occupancies; that there shall be no signs erected on the premises, except there may be a sign attached to the fence at each entrance, not over 15 sq. ft. in area each, advertising only the transient parking use; that no such sign shall extend beyond the building line; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that proper bumpers of wood or concrete shall be installed to protect adjoining buildings and the fence; that all permits required shall be obtained and all work completed within three months from the date of this resolution.

1047-38-BZ.

APPLICANT—Xelphin V. Dugal, for Seth M. Milliken and Gerrish H. Milliken, owners (Xelphin V. Dugal and James Ellswick, lessees).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—750-756 St. Nicholas avenue, east side, 490 ft. south of West 150th street (Block No. 2053, Lot No. 44), Borough of Manhattan.

APPEARANCES—

For Applicant: Robert Emmet Connolly, Xelphin Dugal, James Ellswick and Frederick Meserve.
For Opposition: Earle F. Johnson, Julia Dixon,

M. F. Kenny, J. Matthew Cohn, Sol A. Herzog and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(1047-38-BZ)

WHEREAS, Xelphin V. Dugal for Seth M. Milliken and Gerrish H. Milliken, owners (Xelphin V. Dugal and James Ellswick, lessees), filed on November 21, 1938, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 750-756 St. Nicholas avenue, east side, 490 ft. south of West 150th street (Block No. 2053, Lot No. 44), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that St. Nicholas avenue is in a business and residence use district; St. Nicholas place is in a residence use district; West 148th street and West 147th street are each in both residence and business use districts; Convent avenue is in a residence use district; and

WHEREAS, the decision of the borough superintendent, dated November 7, 1938, reads:

"Your application for a certificate of occupancy for the above premises for the parking and storage of more than five motor vehicles has been denied, for the reason that the premises are located in a business district, where this occupancy is prohibited by article 2, section 4 subdivision 15 of the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 155 ft. and a depth of 100 ft. It is proposed to occupy the plot, for a temporary period of not more than two (2) years, for storage and parking of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h for the use of the plot for the parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent, dated November 7, 1938, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

271-39-BZ.

APPLICANT—A. C. Benson, for Socony-Vacuum Oil Co., Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—96-23 to 96-29 Queens boulevard, northeast corner of 63rd road (Old Mill road); (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Albert C. Benson.
For Opposition: Leslie Kirsch and Alfred H. Holmes.

MINUTES

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(271-39-BZ)

WHEREAS, A. C. Benson, for Socony-Vacuum Oil Co., Inc., filed March 3, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station; premises: 96-23 to 96-29 Queens boulevard, northeast corner of 63rd road (Old Mill road); (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business use district; 63rd road is in a business use district; 63rd drive is in a residence and business use district and 97th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, N.B. Application No. 9029-1938, dated November 23, 1938, and as amended, May 4, 1939, reads:

"Extending the area of the present existing gasoline station into a business district is contrary to Zone Law (Art. II, Sec. 4a)."

WHEREAS, the premises consist of a plot of ground having a frontage of 114.5 ft. on Queens boulevard, 117 ft. on 63rd road and a distance of 84.7 ft. along the northerly lot line, occupied as a gasoline service station. It is proposed to remove the existing accessory building (and canopies over grease pits), to relocate and to increase the number of the pumps; to erect a one story building 43 ft. 6 in. by 26 ft. 8 in. in area to be used as auto laundry, lubricatorium and office, and also, to increase the area of the existing gasoline station; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under sections 7c and 21 of the building zone resolution and was, therefore, entitled to relief to permit the rearrangement of the existing gasoline service station.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under sections 7(c) and 21, to permit the rearrangement of the existing legal gasoline service station, substantially as indicated on revised plans marked "Received July 13, 1939," with a frontage along Queens boulevard of approximately 115 ft. and along 63rd road of approximately 117 ft., *on condition* that the existing accessory buildings shall be entirely removed; that the plot shall be leveled substantially to the grade of Queens boulevard and 63rd road; that a reinforced retaining wall shall be erected along the interior lot lines where the natural grade of the adjoining lots is below the level of Queens boulevard; that the accessory buildings shall be located substantially as indicated on plans filed with this application, marked "Received July 13, 1939," and shall be constructed of incombustible materials, except that the roof beams and roof boarding, door frames and doors, window frames and sash may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals; that any heater room established shall be separated from the balance of the building by incombustible material and enterable only from the exterior of the building; that the front of the building shall be constructed of a design as

indicated; that signs on the accessory building shall be restricted to those indicated on the plans, excluding all roof signs and all temporary signs; that the balance of the plot, where not occupied by accessory buildings shall be paved with cement, colprovia or other suitable impervious material; that there shall be erected on the interior lot lines, a substantial wood or steel picket fence on a masonry curb to a total height of not less than an average of 7 ft.; that the existing gasoline pumps shall be entirely removed, and new pumps erected shall not exceed three (3) islands, twin pumps; that such islands shall be located not nearer than 15 ft. to the street building line; that the entrances to the premises shall not exceed two (2) from Queens boulevard and two (2) from 63rd road, such entrances not exceeding 46 ft. for one on Queens boulevard and 39 ft. for the second and two not over 36 ft. in width to 63rd road; that there shall be erected at the intersection of the street building lines, a concrete block not less than one (1) foot in height, extending from the intersection of both street lines for a distance of not less than 5 ft.; that there may be erected within the building line, at this point, a post standard for supporting a sign which may be illuminated, advertising solely the brand of gasoline on sale, permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that lights for general illumination shall be on pipe standards with metallic reflectors reflecting toward the accessory building and away from the adjoining occupancies; that no automobile repairing shall be carried on and no parking of cars other than those being serviced; that no portable gasoline pumps shall be used on or from the premises; that planting shall be maintained to the east and north of the accessory building and along the fence to Queens boulevard; that the gasoline pumps shall be of the parkway type; that the revised plans marked "Received July 13, 1939," are hereby approved as being in substantial compliance with the requirements of this resolution, except as otherwise therein set forth; that revised drawings showing the planting shall be filed with the board and approved by the chairman in behalf of the board, as being in substantial compliance with the requirements of this resolution before the plans are filed with the Borough Superintendent of Buildings; that such plans shall be filed within two (2) weeks from the date of this resolution, and after approval, all permits shall be obtained and all work completed within six (6) months.

294-39-BZ.

APPLICANT—Lama and Proskauer, for Alberta Realty Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building occupied as a garage for more than five (5) motor vehicles and motor vehicle repair shop, so as to include a gasoline service station.

PREMISES AFFECTED—1523-1527 Bedford avenue, east side, 82 ft. $\frac{3}{8}$ in. north of Eastern parkway (Block No. 1260, part of Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Francis J. Principe.

For Opposition: Mrs. E. L. Hartley, Lillian Morgenstern, Herbert O. Burden, A. L. Meyer and G. M. Byers.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

MINUTES

THE RESOLUTION—

(294-39-BZ)

WHEREAS, Lama and Proskauer, for Alberta Realty Corporation, owner, filed March 8, 1939, an application under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of a building occupied as a garage for more than five (5) motor vehicles and motor vehicle repair shop, so as to include a gasoline service station; premises: 1523-1527 Bedford avenue, east side, 82 ft. $\frac{3}{8}$ in. north of Eastern parkway (Block No. 1260, part of Lot No. 5), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Eastern parkway is in a residence and business use district; Bedford avenue is in a business use district; Lincoln place is in a business and residence use district and Rogers avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, re Alt. Applic. No. 315-39, dated February 10, 1939, and as amended June 14, 1939, reads:

"1. Extending and altering building occupied as a public garage and motor vehicle repair shop and creation of a gasoline service station in partly residential and partly business zones, is contrary to Art. II, par. 3 and 4 of the zone resolution."

and

WHEREAS, the premises consist of an irregular plot of ground having a frontage of 65 ft. 6 in. on Bedford avenue, 70 ft. on Eastern parkway and a distance of 144 ft. 6 in. along the northerly lot line. Upon this plot there is located a one and two story non-fireproof building, occupied as a public garage, repair shop, office and showroom on 1st story and chauffeurs rooms on 2nd story. An irregular shaped area (having a frontage of 70 ft. on Eastern parkway) at the south easterly portion of the plot is in a residence use district—the remainder of the plot is in a business use district. It is proposed to remove the 2nd story of the building; to remove part of the interior walls; to relocate the Bedford avenue street walls of the existing building and to occupy the resulting space as a gasoline service station and lubritorium. It is proposed also to relocate the Eastern parkway entrance to the building and to extend the building, so as to cover part of the plot now used as a ramp; and

WHEREAS, the premises and area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under sections 7c and 21 of the building zone resolution and was, therefore, entitled to relief, to permit the reconstruction and extension of the existing garage and gasoline service station.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under sections 7c and 21, to permit the reconstruction and extension of the existing garage and gasoline service station, substantially as indicated under revised plans marked "Received July 13, 1939," *on condition* that there shall be no repairing of automobiles on any part of the premises; that the existing ramp from Eastern parkway to the garage shall be discontinued and a masonry wall substituted; that there shall be one entrance only from Eastern parkway and that the present one-story building shall be used solely for the storage of automobile of the pleasure car type; that there shall be no entrance from this building to the main garage, except a door not over 3 ft. in width; that the portion of the building along Bedford avenue shall be reconstructed substantially as indicated on plans marked

"Received July 13, 1939"; that no pumps shall be erected nearer than 10 ft. to the building line of Bedford avenue; that a fence not less than 4 ft. in height, including concrete curb and iron railing shall be constructed on the interior lot line where walls of building do not occur, separating this garage occupancy from the adjoining gasoline service station on Bedford avenue and Eastern parkway; that the portion along Eastern parkway, except for the one entrance hereinbefore provided for, shall be seeded to grass and planted with shrubs; that the existing entrance to the boiler room shall be discontinued and a new entrance to the boiler room constructed along the line of the proposed lubritorium wall and separated from the lubritorium by masonry construction; that the gasoline selling area shall be cement paved; that signs shall be restricted to signs attached to the facade of the building on the Bedford avenue side only and to the illuminated globes of the pumps, prohibiting any roof signs and temporary signs, but permitting the erection within the building line of Bedford avenue of a post standard for supporting a sign which may be illuminated, advertising solely the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that complete working drawings shall be submitted and approved by the chairman in behalf of the board, as in substantial compliance with this resolution, before same are filed with the borough superintendent; that such plans shall be filed within two (2) weeks from the date of this resolution, and after approval, all permits shall be obtained and all work completed within six (6) months.

297-39-BZ.

APPLICANT—Ervin Palmer, for Wilson and Company, Inc., owner (H. Chazen, Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—842 First avenue and 400 East 37th street, southeast corner (Block No. 1358, part of Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: Ervin Palmer.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(297-39-BZ)

WHEREAS, Ervin Palmer, for Wilson and Company, Inc., owner (H. Chazen, Inc., lessee), filed March 8, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises: 842 First avenue, and 400 East 47th street, southeast corner (Block No. 1358, Lot No. 47), Borough of Manhattan; and

WHEREAS, the public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution shows that First avenue is in a business and unrestricted use district; East 47th street is in a business and unrestricted use district and East 46th street is in an unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, re Alt. Applic. No. 531-39, dated March 2, 1939, and as amended June 14, 1939, reads:

"1. This alteration is disapproved and examination not further considered.

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The premises are to be occupied for use as Motor Vehicle repair shop and Brake Service Station. Under the Building Zone Resolution, this occupancy is in violation of Section 4- (a-15) and (b)."

and

WHEREAS, the existing building is non-fireproof, one story in height, with a frontage of 16 ft. on First avenue and 60 ft. on East 47th street. It is proposed to convert the existing building to a motor vehicle repair shop and brake testing station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted*, for a period of two (2) years from the date of this resolution, permitting the building under appeal to be occupied as a motor vehicle repair shop, consisting mainly of brake testing, *on condition* that the building shall not be increased in height or area; that the repairing shall be restricted to brake testing and light motor vehicle repairs, excluding the use of acetylene torches, anvils, heavy repairing and fender work; that the existing signs on the building shall not be increased; that no gasoline shall be stored on the premises other than in the tanks of the cars being serviced; that all permits shall be obtained and all work completed within two (2) months from the date of this resolution.

302-39-BZ.

APPLICANT—Joseph Mitchell, for Brooklyn and Queens Transit Corporation, owner (United Auto Storage, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7b and 7c of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, the maintenance of a gasoline service station.

PREMISES AFFECTED—68-02 Grand avenue, southeast corner of Brown place (Block No. 2776, part of Lot Nos. 1 and 6, parcel A), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Morris J. Mayer, Joseph Mitchell and William Reike.

For Opposition: Jacob Leiman, George H. Meehan and Leon Epstein.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(302-39-BZ)

WHEREAS, Joseph Mitchell, for Brooklyn and Queens Transit Corporation, owner (United Auto Storage, lessee), filed March 10, 1939, an application under sections 7b and 7c of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, the maintenance of a gasoline service station, affecting premises 68-02 Grand avenue, southeast corner Brown place

(Block No. 2776, part of Lot Nos. 1 and 6—parcel A), Maspeth, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand avenue is in a business use district; Brown place is in an unrestricted, business and residence use district; 58th avenue is in a business and unrestricted use district, and 69th street is in a business use district; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 9060-38, dated June 13, 1939, reads:

"The change in use from a trolley carbarn to a garage for more than five motor vehicles and a gasoline service station located on a plot which is partly in an unrestricted district and extending into a business district, is contrary to Art. 2, section 4, subdivision 15 and 46 of the Building Zone Resolution. Not further considered."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 446 ft. on Brown place, 195 ft. on 58th avenue and 43 ft. on Grand avenue. The northerly portion of the plot extends into a business use district for a distance of 100 ft.—the remainder of the plot is in an unrestricted use district. Upon the plot there is located a one and two story fireproof building, having a frontage of 446.4 ft. on Brown place and 195 ft. on 58th avenue, irregular in area. It is proposed to use this building as a garage for more than five (5) motor vehicles. Upon the northerly portion of the plot (having a frontage of 22 ft. on Brown place, 43 ft. on Grand avenue and a distance of 22 ft. 6 in. along the easterly lot line), there are located two gasoline pumps; it is proposed to use this area as a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that there was insufficient basis for the use of its discretion under the provisions of Section 7, subdivisions B and C of the Building Zone Resolution, to extend the area beyond that now legally permitted.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 9060-38, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

354-39-BZ.

APPLICANT—A. C. Benson, for Direct Realty Company, owner (Peter Woudine, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—3525-3529 White Plains road, west side, 115.44 ft. north of Gunhill road (Block No. 4643, Lot No. 9), Borough of The Bronx.

APPEARANCES—

For Applicant: Albert C. Benson.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(354-39-BZ)

WHEREAS, A. C. Benson, for Direct Realty Company, owner (Peter Woudine, lessee), filed March 21, 1939, an

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application under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the extension of an existing gasoline service station, affecting premises 3525-3529 White Plains road, west side, 115.44 ft. north of Gunhill road (Block No. 4643, Lot No. 9), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that White Plains road is in a business and residence use district; Gunhill road is in a business and residence use district; Willett avenue is in a residence and business use district; and East 213th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N. B. Applic. No. 698-38, dated February 25, 1939, reads;

"1. Proposed extension of an existing gasoline service station, lubricatory and car washing, located partly in a residence district and partly in a business district, is contrary to Sections 3 and 4, Article 2 of amended Business Zone Resolution. Examination not further considered."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 104.2 ft. on White Plains road, 100 ft. on Willett avenue and a distance of 153.6 ft. along the northerly lot line; occupied as a gasoline service station. An irregular shaped area at the Willett avenue front of the plot is in a residence use district—the remainder of the plot is in a business use district. It is proposed to relocate the pumps and grease pits; to remove the existing accessory building; to erect upon the plot a one story building, 57 ft. by 26 ft. 8 in., irregular in area; to be used as auto laundry and lubricatorium. It is proposed to occupy that portion of the plot, which is located in the business use district, as a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under sections 7c and 21 of the building zone resolution and was, therefore, entitled to relief, to permit the extension and rearrangement of the existing gasoline station.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under sections 7 (c) and 21, to permit the existing legal gasoline station to be extended and rearranged, substantially as shown on plans filed with this appeal, marked "Received June 30, 1939" and covering only such portion of the plot as faces on the westerly side of White Plains road, for a distance along the northerly line of approximately 103 ft., along the southerly line for a distance of approximately 75 ft., *on condition* that the balance of lot 9, facing on Willett avenue shall have no connection with such gasoline station and shall be used solely for conforming use; that the site shall be leveled substantially to grade of the street and that the accessory buildings shall be located toward the rear central portion, as indicated, and shall be constructed of incombustible materials throughout, except that the roof beams, roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that any room for heater shall be separated from the balance of the building by fire-proof construction, enterable only from the exterior of the building; that no doors shall be constructed on the portion used for greasing, unless greasing racks of the hydraulic type are installed, or if pits are installed unless ventilation shall be furnished through the roof by ducts connected to a

motor driven fan of the sparkproof type; that the balance of the easterly portion of the plot, where not occupied by accessory buildings, shall be paved with cement, colprovia or other suitable impervious material; that any pumps erected shall be not nearer than 15 ft. to the street building line; that curb cuts shall be limited to two (2), as indicated on plans, one not over 25 ft. in width toward the south and one not over 34 ft. in width, toward the north, no portion of any curb cut to be nearer than 5 ft. to any side lot line, as extended; that a fence shall be erected from the north to the south, approximately at the line of the rear of the accessory building; that such fences as are erected at the rear, along the interior lot lines where walls of adjoining buildings do not occur, shall be a substantial wood or iron picket fence mounted on a masonry base; that the premises shall be used for no other use than as herein permitted; that no automobile repairing shall be carried on; that no parking shall be permitted on the premises, other than cars being serviced; that no portable gasoline tanks shall be used on or from the premises; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line of a post standard for supporting a sign which may be illuminated, advertising solely the brand of gasoline on sale, permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that the existing buildings shall be completely removed from the premises; that lights for general illumination shall be on pipe standards with metallic reflectors so arranged as to reflect toward the center of the premises and away from the adjoining residential occupancies; that complete working drawing shall be submitted to the board and approved by the chairman in behalf of the board, as being in substantial compliance with this resolution, before filing with the Borough Superintendent; that such plans shall be submitted within 15 days from the date of this resolution; that all permits shall be obtained and work completed within six (6) months after approval of such plans.

432-39-BZ.

APPLICANT—Cornelius Callaghan, for Lexington Avenue and 40th Street, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—96-50 Queens boulevard, south side, 150 ft. east of 63rd drive (Block No. 3082, Lot No. 61), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Cornelius Callaghan.

For Opposition: Leslie Kirsch.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(432-39-BZ)

WHEREAS, Cornelius Callaghan, for Lexington Avenue and 40th Street, Inc., owner, filed April 3, 1939, an application under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises: 96-50 Queens boulevard, south side, 150 ft. east of 63rd drive (Block No. 3082, Lot No. 61), Forest Hills, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular

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meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business use district; Saunders street is in a residence and business use district; 64th road is in a residence and business use district; 63rd drive is in a business and residence use district and 64th avenue is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, on N. B. Application No. 1363-39, dated March 23, 1939, reads:

"The parking of more than five motor vehicles in a business district, is contrary to Section 4, subdivision 15 of the Zone Law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 424 ft. on Queens boulevard and 100 ft. on 64th road. On the rear of the plot there is a Roadside stand (lunch counter), 100 ft. by 15 ft. in area; on the easterly rear of the plot there are located rest rooms. It is proposed to use the remainder of the plot for a temporary period of not more than two years for parking more than 5 motor vehicles; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h, to permit the transient parking of more than five (5) motor vehicles, without charge therefor, of automobiles by the customers of the restaurant, during the period that they are being served, *on condition* that no general parking or storage of automobiles shall be permitted on the premises; that such variance shall continue only for the duration of the World's Fair, coincidently with the variance granted by the board as to the construction of the building, under Cal. No. 270-39-A; that curb cuts shall be restricted to two (2) from Queens boulevard only, not exceeding 25 ft. in width each; that no additional signs shall be constructed, other than as permitted under Cal. No. 270-39-A; that all permits shall be obtained and all work completed within one (1) month from the date of this resolution.

444-39-BZ.

APPLICANT—Paul Friedman, for Josie Feruglio and Amanda Reiman, owners (Paul Reiman and Raymond Feruglio, operating as P and R Auto Service, lessees).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension and conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—2781 Coney Island avenue, east side, 230 ft. south of Avenue Y (Block No. 7430, Lot No. 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman and Raymond Feruglio.

For Opposition: Daniel F. McLaughlin, Patrick Hammill, Sarah McLaughlin and Mary Greene.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage	1
Negative: Chairman Murdock, Commissioner Blum and Assistant Chief Walsh	3
Absent	0

THE RESOLUTION—

(444-39-BZ)

WHEREAS, Paul Friedman, for Josie Feruglio and Amanda Reiman, owners (P and R Auto Service, lessee), filed

April 10, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the extension and conversion of occupancy of an existing building to a motor vehicle repair shop; premises: 2781 Coney Island avenue, east side, 230 ft. south of Avenue Y (Block No. 7430, Lot No. 64), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Coney Island avenue is in a business use district; East 11th street is in a residence and business use district; Avenue Y is in a residence and business use district; Avenue Z is in a business use district and Gerald court is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, on application No. 839-39, dated March 22, 1939, reads:

"2. Proposed conversion to automobile repair shop in a business use district, is contrary to Art. 11, Sec. 4a of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 30 ft. and a depth of 100 ft. Upon the plot there is located a metal building 19 ft. by 29 ft. in area, occupied as a 3 car garage; battery and greasing station (according to a filed certificate of occupancy). There is a frame shed located at the rear of the building. It is proposed to remove the shed and to locate on the plot a one story metal extension 22 ft. by 67 ft. in area, to be used as a motor vehicle repair shop for a temporary period of five (5) years; and

WHEREAS, the premises and area were inspected by a committee of the board prior to the hearing; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the Borough Superintendent on Application No 839-39 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

502-39-BZ.

APPLICANT—George Alexander, Jr., for First Baptist Church, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district and "D" area district, the erection of an extension to an existing building (Church)—said extension not conforming with the area requirements of the building zone resolution.

PREMISES AFFECTED—2349-2353 East 15th street, east side, 250 ft. north of Avenue X (Block No. 7400, Lot No. 56), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Alexander, Jr., George W. Clark and Reverend Twine.

For Opposition: Mrs. Russo, Mary Jones, Frances A. Steininger and others.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(502-39-BZ)

WHEREAS, George Alexander, Jr., for First Baptist Church, owner, filed April 20, 1939, an application under

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section 21 of the building zone resolution, to permit in a residence use and "D" area district, the erection of an extension to an existing building (church)—said extension not conforming with the area requirements of the building zone resolution, affecting premises 2349-2353 East 15th street, east side, 250 ft. north of Avenue X (Block No. 7400, Lot No. 56), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 15th street is in a residence and business use and also "D" area district; East 16th street is in an unrestricted use and also "D" area district; Avenue X is in a business and unrestricted use and also "D" area district, and Gravesend Neck road is in a business and unrestricted use and also "D" area district; and

WHEREAS, the decision of the acting borough superintendent, on Applic. No. 11778-38, dated March 29, 1939, reads:

"1. Area occupied exceeds 60% allowable in a residential "D" zone is therefore contrary to Art. IV, sec. 14/c of the Zone Resolution."

and
WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 75 ft. There is located upon the premises a one-story frame church 31 ft. by 60 ft. 4 in. in area. It is proposed to increase the area of this building by the addition of two brick and cement block extensions; the front extension being approximately 7 ft. by 36 ft. 6 in., irregular, in area; the rear extension being 24 ft. 6 in. by 20 ft. 6 in., irregular in area. The area of the lot is 3750 sq. ft.; the area of the existing building is approximately 1780 sq. ft.; the area of the front extension is approximately 367 sq. ft. and the area of the rear extension is 416 sq. ft.—a total coverage of 2563 sq. ft. 60% of 3750 sq. ft. is 2250 sq. ft. The excess coverage is 313 sq. ft.; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to hearing, so as to be informed of conditions; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the extension of the existing building as proposed, *on condition* that the building shall not be further increased in height and area and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

512-39-BZ.

APPLICANT—A. and M. Arrington, for Winrock Realty Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7c of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (skating rink and bowling alleys).

PREMISES AFFECTED—687-699 Forest avenue, north side, 150 ft. west of Bement avenue (Block No. 168, Lot No. 60), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Arthur M. Arrington.

For Opposition: Leo Anderson, Charles A. Ehren, Jr., Peter Brandt, Willis Geis, Edward J.

Moran, Mary Brossy, Andrew E. Zunner and others.

For Administration: A. B. Comins, Department of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Absent 0

THE RESOLUTION—

(512-39-BZ)

WHEREAS, A. and M. Arrington, for Winrock Realty Company, owner, filed April 25, 1939, an application under section 7c of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (skating rink and bowling alleys); premises: 687-699 Forest avenue, north side, 150 ft. west of Bement avenue (Block No. 168, Lot No. 60), West New Brighton, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Forest avenue is in a business use district; Myrtle avenue is in a residence and business use district; North Burgher avenue is in a business and residence use district and Bement avenue is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated April 14, 1939, reads:

"Your application New Building No. 72-1939, filed in this Department on April 4, 1939, by your Architect, Arthur M. Arrington, 95 Victory boulevard, Tompkinsville, for the approval of a structure for roller skating on the 1st floor and bowling alleys on the second floor at premises 687-699 Forest Avenue, north side, 150 ft. west Bement avenue, Borough of Richmond, is hereby denied as it is contrary to the Zoning Resolution, Section 3, to erect a business building which will extend 22 ft. into a residence use district."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 160 ft. on Forest avenue, 13.5 ft. on Myrtle avenue and a distance of 234.5 ft. along the easterly lot line. Upon the plot there is located a frame dwelling which, it is proposed to demolish. The plot extends a distance of 100 ft. into the business use district—the remainder of the plot is located in a residence use district. It is proposed to erect upon the Forest avenue frontage of the site, a two (2) story non-fireproof building, 160 ft. by 134 ft. 6 in., irregular in area; to be used as stores and roller skating rink on the 1st story and as bowling alleys on the 2nd story. The proposed building extends into the residence use district for a maximum distance of 34 ft. 6 in.; the emergency exit is in the residence use district; there is an exit leading from the rear of the building to Myrtle avenue; and

WHEREAS, the board deemed that there was no justification for the exercise of its discretion to grant a zoning variance as to use and area under Section 7, subdivision C, for the proposed extension into the residence portion of the plot under appeal

Resolved, that the decision of the borough superintendent on N. B. Application No. 72-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

542-39-BZ.

APPLICANT—John F. Meehan, for Benjamin B. Selvin, owner (Tide Water Associated Oil Co., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the

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building zone resolution, to permit in a business use district, the extension of an accessory building of an existing gasoline service station.

PREMISES AFFECTED—50-01 to 50-03 Queens boulevard, northeast corner of 50th street (Block No. 1319, Lot No. 1), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: John F. Meehan and James Rich.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(542-39-BZ)

WHEREAS, John F. Meehan, for Benjamin B. Selvin, owner (Tide Water Associated Oil Co., lessee), filed May 1, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the extension of an accessory building of an existing gasoline service station; premises: 50-01 to 50-03 Queens boulevard, northeast corner of 50th street (Block No. 1319, Lot No. 1), Woodside, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business and residence use district; Roosevelt avenue is in a business and residence use district; 50th street is in a business and residence use district and 51st street is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings on Alt. Application No. 7701-38, dated April 18, 1939, reads:

"1. The extension of an existing gasoline station in a business district, is contrary to Article 2, section 4 of the Zone Law."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 88 ft. on Queens boulevard, 111.9 ft. on 50th street and a distance of 99 ft. along the northerly lot line. Upon the northerly portion of the plot there is located a one story building 20 ft. by 25 ft. in area. The use of this building as noted on filed plans is "auto repair garage". This building is to remain. There is also located upon the plot a one story accessory building 20 ft. by 20 ft. in area; it is proposed to erect at the westerly side of this building, a one story extension 26 ft. by 27 ft. in area, to be used as a lubritorium. It is proposed to continue the use of the remainder of the plot as a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship, as to proposed reconstruction of accessory building

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, only so far as it affects that portion of the lot within 65 ft. northerly of the building line of Queens boulevard, permitting the rearrangement of the gasoline service station, as proposed, consisting of the construction of the proposed building for greasing and the reconstruction of the office section, on condition that this new portion shall be constructed of incombustible materials, except that the roof beams and

roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the front portion of the greasing section shall remain open, unless greasing equipment of the hydraulic type is installed or if pits are installed, unless ventilation of pits shall be furnished consisting of ducts through the roof and with motor driven sparkproof fan; that the existing gasoline pumps nearer than 10 ft. to any street line shall be removed and reset not nearer than 10 ft. to any building line; that the existing curb cuts to the premises shall not be increased; that there shall be erected across the premises from east to west from the easterly line of the office building to the easterly lot line, a substantial woven wire fence not less than 6 ft. in height; that such fence may contain a gate for access to rear occupied by another tenant; that signs shall be restricted to permanent signs attached to the front of the accessory building and to the illuminated globes of the pumps, and excluding all temporary and roof signs, but permitting the erection within the building lines near the intersection of 50th street and Queens boulevard of a post standard for the support of a sign advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not over 4 ft.; that this portion of the premises shall be used for no other use than the sale of accessories and the greasing and oiling of cars; that no parking shall be permitted on the premises, other than cars being serviced; that this portion of the premises, where not occupied by accessory buildings shall be paved with cement, colprovia or similar material; that the boiler room shall be enterable only from the exterior of the building and separated from the balance of the building by incombustible materials; that no portable gasoline tanks shall be used on or from the premises; that there shall be no excavation under the accessory building, except for pits for the greasing racks; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution

833-39-BZ.

APPLICANT—Board of Education, City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7b of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of a building used as a Public School, to a Borough Office of the Board of Education.

PREMISES AFFECTED—142-06 37th avenue (Washington street), southeast corner of Union street (Block No. 5011, Lot No. 8), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Barnet Quart and Ward Cunningham.

For Opposition: Mary A. Chester, P. G. Chester, David C. Bennett and Florence R. Piper.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(833-39-BZ)

WHEREAS, Board of Education, City of New York, owner, filed June 21, 1939, an application under section 7b of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of a building used as a public school, to a Borough Office of the Board of Education; premises: 142-06 37th avenue (Washington street) south-

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east corner of Union street (Block No. 5011, Lot No. 8), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Union street is in a business district; 37th avenue is in a residence and business use district and 38th avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent on Application No. 1148-39, dated May 22, 1939, reads:

"The use of these premises for a business purpose is contrary to Art. 2, sec. 3 of the Building Zone Resolution. (Not further considered)"

and
WHEREAS, the existing building is of non-fireproof construction, two (2) stories in height, 96 ft. frontage on 37th avenue and 42 ft. 4 in. on Union street. It is proposed to convert the occupancy of the existing building from a public school to a borough office of the Board of Education. The easterly portion of the building extends into the residence use district for a distance of 10 ft. 10 in.—the remainder of the building is in a business use district; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision b of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 7b thereof, to permit the portion of the existing building to be occupied as proposed, *on condition* that it shall be used only for clerical work in connection with the Department of Plant Maintenance of the Board of Education; that the building shall not be increased in height and area within the residential district; that all permits required shall be obtained and all work completed within six months from the date of this resolution

APPEAL FROM ADMINISTRATIVE DECISION

511-39-A.

APPLICANT—A. and M. Arrington, for Winrock Realty Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—687-699 Forest avenue, north side, 150 ft. west of Bement avenue (Block No. 168, Lot No. 60), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Arthur M. Arrington.

For Opposition: Leo Anderson, Charles A. Ehren, Jr., Peter Brandt, Willis Geis, Edward J. Moran, Mary Brossy, Andrew E. Zunner and others.

For Administration: A. B. Comins, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn upon request of applicant, in view of the action taken by the board under Cal. No. 512-39-BZ, affecting these premises.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

Adjourned: 4:10 p. m.

EDWARD V. BARTON, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, JULY 18, 1939.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

52-39-BZ.

APPLICANT—Isaac T. Flatto, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—228-238 Nagle avenue, north side, 100 ft. east of Academy street (Block No. 2218, part of Lot No. 35), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn upon written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

510-39-BZ.

APPLICANT—Henry Nordheim, for Lewine Realty Corporation, owner (Gordon and Ettl, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—5821-5839 Broadway and 251-263 West 238th street, northwest corner (Block No. 3414-B, Lot Nos. 134, 136 and 140), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Allen Gordon.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(510-39-BZ)

WHEREAS, Henry Nordheim, for Lewine Realty Corporation, owner (Gordon and Ettl, lessees), filed April 25, 1939, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 5821-5839 Broadway and 251-263 West 238th street, northwest corner (Block No. 3414-B, Lot Nos. 134, 136 and 140), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a business and residence use district; Corlear avenue is in an unrestricted, business and residence use district; West 238th street is in a business use district; West 239th street is in a business and residence use district and West 240th street

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is in an unrestricted, business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings dated April 21, 1939, as amended May 3, 1939, reads:

"Please be advised that your application for a Certificate of Occupancy for use of the above premises for the storage and parking of more than five (5) motor vehicles, is denied, as such use in that portion of the premises designated as a business district is contrary to Art. 2, Sec. 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 190.7 ft. on Broadway and 144 ft. on West 238th street; a small area at the northwesterly corner of the plot is in an unrestricted district—the remainder of the plot is in a business district; it is proposed to use the site for a temporary period of not more than two (2) years, for storage and parking of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board and the committee recommended that the variance should be granted under section 7-h of the building zone resolution, for a period of two (2) years under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7-h thereof, for a temporary period of two (2) years from the date of this resolution, to permit the premises to be occupied for the transient parking of more than five (5) motor vehicles, *on condition* that the site shall be leveled substantially to the grade of Broadway and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting; that there shall be erected on all lot lines, where walls of adjacent buildings do not occur, a substantial woven wire fence not less than 6 ft. in height with no openings therein, except there may be one entrance to Broadway, not exceeding 15 ft. in width with curb cut opposite of similar width; that proper aisles shall be maintained at all times for easy entrance and egress; that during the term of this variance, the premises shall be used for no other use than as herein permitted; that no building shall be erected thereon, except there may be erected a building not over one story in height and 150 sq. ft. in area, which may be of frame, solely as an office and shelter for the attendant; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that signs shall be restricted to a sign attached to the fence, advertising the transient parking use, provided such sign does not exceed 15 sq. ft. in area and does not extend beyond the building line; that all permits required shall be obtained and all work shall be completed within two months from the date of this resolution.

805-39-BZ.

APPLICANT—Charles B. Meyers, for William M. Smith, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district and, also "E" area district, the erection and maintenance of a business building (stores)—also, said building does not conform with "E" area requirements.

PREMISES AFFECTED—1601-1611 Avenue J and 985-995 East 16th street, northeast corner (Block No. 6709, part of Lot Nos. 47, 49 and 51), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo V. McLaughlin.

For Opposition: David H. M. Weynberg, John A. Nichols and Herman J. Strohen.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(805-39-BZ)

WHEREAS, Charles B. Meyers, for William M. Smith, owner, filed March 28, 1939, an application under section 21 of the building zone resolution, to permit in a residence use and also "E" area district, the erection and maintenance of a business building (stores)—also said building does not conform with "E" area requirements; premises: 1601-1611 Avenue J and 985-995 East 16th street, northeast corner (Block No. 6709, part of Lot Nos. 47, 49 and 51), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 18, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Avenue J is in a residence and business use and also "C" and "E" area district; East 16th street is in a residence use and also "E" and "C" area district and East 17th street is in a residence use and also "E" area district; and

WHEREAS, the decision of the borough superintendent of buildings on N.B. Application No. 72-39, dated February 23, 1939, reads:

"1. The erection of a building for business use in a residence use district, is contrary to the Building Zone Resolution, Art. II, Section 3.

2. No portion of the proposed structure in an "E" area district should be erected nearer than 10 ft. to the building line—Building Zone Resolution, Sec. 15 (d).

3. The proposed structure exceeds the area permitted by the Building Zone Resolution Sec. 15-C in a residence, 'E' district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Avenue J and 100 ft. on East 16th street. It is proposed to remove the dwellings and private garages now on the premises and to erect thereon a one story building, 100 ft. by 75 ft. in area, to be used as stores. The proposed building is to be located on the building line of Avenue J and on the building line of East 16th street and is not set back 10 ft. from the building line as required in an "E" area district. In re the permissible coverage in an "E" area district, the area of the plot is 10,000 sq. ft.; 8,000 sq. ft. is considered as a corner lot and 2,000 sq. ft. is considered as an interior lot. 8,000 sq. ft. by 70 per cent=5600 sq. ft.; 2,000 sq. ft. by 50 per cent=1,000 sq. ft. The usable area is 6,600 sq. ft. and the area of the proposed building is 7,500 sq. ft. The proposed building exceeds the permissible area by 900 sq. ft.; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, report of which inspection was read at this meeting, and which report follows:

REPORT OF COMMITTEE

Cal. No. 805-1939-BZ

1601-11 Avenue J

985-995 E. 16th St., Brooklyn.

July 14, 1939.

The premises under appeal for a zoning variance are at the northeasterly corner of Avenue J and East 16th Street, having a frontage of 100 ft. and a depth of 100 ft. and which include lots 51, 49 and the westerly portion of lot 47 in Block 6709. The plot is now zoned for residence use—E area, 1¼ times height—which are the zoning conditions for a considerable area

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in this general section east of the B.M.T. right-of-way. To the west of the right-of-way of the B.M.T., the frontage on Avenue J to Coney Island Avenue is zoned for business.

It is desired to construct a one-story store building on the plot to replace two residence buildings, one a two-family residence, the other a single family residence.

It is claimed that the plot cannot be used for conforming use because of a number of factors which the applicant has set forth at great length. Among these are the elevated tracks of the B.M.T. with its station adjacent and the large number of trains and passengers. Another is the nearness to the business uses on Avenue J beyond the railroad. Another is the heavy traffic including the bus line on Avenue J. Still another is the tennis club some distance to the north which is reached by a path within the bed of East 16th Street, which is mapped as a city street but not constructed. All of these factors and other elements referred to by the applicant have been fully considered by the Committee which has inspected the area and weighed the difficulties which the applicant claims are insurmountable.

The residence use area is generally a section of private residences both on Avenue J and the side streets. The block between 16th Street and 17th Street, in which the plot which is the subject of this application is located, is somewhat less desirable than those near Ocean Avenue, mainly because of the proximity to the B.M.T. railroad. Directly across Avenue J, at the southeast corner of East 16th Street, is a twenty ft. corner plot on which is located a frame one-story building formerly the office of the real estate concern which developed the area many years ago. This building is now used as a hand laundry and has been recognized as a legal non-conforming use by this Board, but cannot be enlarged. Applications to substitute a new store building on this lot have been denied by this Board on two occasions. The building and the present use are not seriously objectionable. There are three small shops, established prior to zoning, under the bridge at the B.M.T. station on the southerly side of Avenue J, but there are none and no station entrance on the northerly side, which is the side on which the plot under consideration is located. Other than these minor business uses, there are no other non-conforming buildings in the residence area. The Committee has investigated the tennis courts and the bathing facilities which have been referred to as objectionable. There can be no hardship because of these courts which are operated as a private membership club with five shower baths in the locker building for the use of the members only. Operated as a private club, these tennis courts are a permitted use in a residence district.

The right-of-way of the Long Island Railroad which parallels the B.M.T. has been permanently discontinued and can no longer be cited as an element of hardship. The B.M.T. right-of-way is over one hundred feet away from the plot in question.

This plot under consideration has on a previous occasion in 1926 been under consideration for a zoning variance and the application was withdrawn after public hearing. On several occasions this block and the entire frontage up to Ocean Avenue have been the subject of applications to the Board of Estimate for a change of zone to business and each time denied. The last occasion was in 1938 for the block fronts between East 16th and East 17th Streets. Although the City Planning Commission recommended a change, their recommendation was rejected by the Board of Estimate. This application was filed upon the disapproval of the petition to change the zoning from residence to business.

There have been continuing attempts since 1926, either by rezoning or by variances, to change this block

to business. The principals in these efforts have been the same. It has been difficult for the Committee to ascertain the real parties at interest, but it would appear that the individuals interested in the plot under consideration are also interested in other parcels in the block. The owner of record is given as William M. Smith. He and his associates are apparently endeavoring to recoup losses in their investments in the block. These interests formerly owned the entire block front, but now own 120 foot frontage. This, the owner of record states, was purchased in 1926, which by coincidence was the year the petition was before the Board of Estimate for change of zone. The property was purchased at prices presumably then prevailing for residence property and which, with the general decline in real estate values, would now be considered excessive. In fact the total mortgage indebtedness (a large part of which is a purchase money mortgage), plus the taxes unpaid for several years, exceeds the assessed valuation. This being so, the present owners have no equity and the real owners are the holders of the mortgages. That they would greatly benefit by the granting of this variance is apparent as a variance would materially add to the value. Presumably a variance would restore the equity which the owners have lost. A non-conforming business use would be more profitable than the present conforming use or perhaps a new conforming use in the form of a multiple dwelling.

The present two-family house on lot 51, the Committee is reliably informed, brings in a gross return of approximately \$2000. per year. The tenants have improved the property partly or wholly at their own expense and, the Committee is informed, do not desire to be vacated. This house is in good condition. The house on lot 49 has been occupied up to recently by a relative of one of the parties interested. The Committee has examined this house and believes it is in good physical condition and capable of being rented at \$100 per month or more. Upon a fair present valuation, these existing buildings will carry the property.

A zoning variance would have several effects. It would recoup the losses of the owners and reestablish the value of the mortgages. It would start business uses on the easterly side of the B.M.T. and form a precedent for both sides of Avenue J between East 16th and East 17th Streets and perhaps beyond. The owner of the southwest corner of East 17th Street stated to the Board that he also desired a variance just as he did at Avenue J and Ocean Avenue which the Board refused to grant.

It would be unfair to the present business area on Avenue J west of the B.M.T. From testimony before the Board and inspection showing four present store vacancies, there appears no need for more business area.

Finally, there is the opinion of a resident in the general area, a real estate expert of long and extensive experience as a Vice-President of Brown, Wheelock, Harris, Stephens & Co., that the plot is well adapted for a multiple dwelling, which could readily be rented at \$20. per room. He found nothing in the area to interfere with its being successful and stated it could be financed at the present time. If the interested parties are not satisfied with the return that can be had from the present conforming buildings, they can replace them with a conforming multiple dwelling, rather than a non-conforming business building. The Committee's view coincides with this expert's opinion as to the feasibility of a multiple dwelling and that the "E" zoning requiring a front yard setback would be beneficial to the success of such a building.

The Committee is of the opinion that the applicant has failed to prove practical difficulties and unnecessary hardship that a conforming use cannot be continued on this plot; that the present conforming use precludes

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a favorable decision on the application; that a more extensive conforming development is feasible; that more business area is not needed; that, even if hardship existed, to grant this variance would inflict hardship on adjoining owners to a greater extent than the financial gain to the owners of this plot. For these reasons as well as the reason that the railroad forms a natural and effective barrier between the business use area on Avenue J and the residential use area, the Committee recommends that the Board refuse to exercise its discretion to grant this application for a variance of the Zoning Resolution as to use and area.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

and

WHEREAS, the Board concurs in the report and recommendation of the Committee and finds that applicant is not entitled to relief under section 21.

Resolved, that the decision of the borough superintendent on N.B. Applic. 72-39 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE DECISIONS

386-39-A.

APPLICANT—Leonard A. Swarthe, for Nellie Mohr, lessee, (Anna Rosenzweig, owner).

SUBJECT—Appeal from the deputy commissioner, division of housing, department of housing and buildings.

PREMISES AFFECTED—41-45 Elliott place, northwest corner of Walton avenue (Block No. 2842, Lot No. 22), Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard A. Swarthe.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P. M. pending an inspection and report by a committee of the board.

581-39-A.

APPLICANT—Leonard A. Swarthe, for A. Lewitus, tenant lessee (A. H. Haskell, owner).

SUBJECT—Appeal from a decision of the deputy commissioner, division of housing, department of housing and buildings.

PREMISES AFFECTED—1510 Jessup avenue, east side, 884.8 ft. south of Featherbed lane (Block No. 2872, Lot Nos. 287, 293, 296, 298, 299 and 300), Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard A. Swarthe.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P. M.

696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake.

For Owner: Albert L. Schwartz and Louis Krauss.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P. M.

698-39-A.

APPLICANT—John J. Lake and Son, lessee (Clarence W. Lake and Jennie Lake, owners.)

SUBJECT—Appeal from orders of the fire commissioner.
PREMISES AFFECTED—115-23 Jamaica avenue and 86-28 116th street, northwest corner (Block No. 192, Lot Nos. 20 and 21), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Clarence W. Lake.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to September 12, 1939, at 2 P. M. pending inspection by a committee of the board.

733-39-A.

APPLICANT—Clever Idea Co., Inc., lessee (John Apostolakis, owner).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—177-181 Concord street, northeast corner of Duffield street (Block No. 109, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to September 26, 1939, at 2 P. M.

873-39-A.

APPLICANT—Irving Adelson, for Sisters of the Poor of St. Peter's Hospital, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Adelson.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to September 26, 1939, at 2 P. M.

884-39-A.

APPLICANT—Sarah Brach, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: James A. Shea.

For Administration: A. Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to September 26, 1939, at 2 P. M.

886-39-GR.

APPLICANT—Heating, Piping and Air-Conditioning Contractors New York City Association, Inc.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Interpretation of Section C26-1206-0 Administrative Code (14.1.13 Building Code) re Plumbing System-Waste Lines.

APPEARANCES—

For Applicant: Lloyd V. Almirall.

ACTION OF BOARD—Laid over to September 22, 1939, at 10 A. M. for further consideration.

906-39-A.

APPLICANT—August Evers, for Rehm and Evers, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

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PREMISES AFFECTED—419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: August Evers.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to September 19, 1939, at 2 P. M. Applicant to file plans.

909-39-A.

APPLICANT—William H. Warnecke, for Peter Doelger, Inc., owner (John A. Schwarz, Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: W. J. Cousins.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to September 26, 1939, at 2 P. M. for inspection by a committee of the board.

916-39-A.

APPLICANT—Josephine Calvaruso, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens.

APPEARANCES—

For Applicant: David Taub.

ACTION OF BOARD—Laid over to September 19, 1939, at 2 P. M. on request of applicant.

921-39-A.

APPLICANT—Progress Association of Steamfitters' Helpers Local No. 639 of the United Association.

SUBJECT—Appeal from a decision of the borough superintendent of buildings, re Interpretation of Section C26-1206-0, Administrative Code (14.1.13 Building Code), re Waste Lines, Plumbing System.

APPEARANCES—

For Applicant: Sam J. Ernstoff.

ACTION OF BOARD—Laid over to September 22, 1939, at 10 A. M.

922-39-A.

APPLICANT—Enterprise Association Local No. 638 of the United Association of Journeymen, Plumbers and Steamfitters of the United States and Canada.

SUBJECT—Appeal from a decision of the borough superintendent of buildings, re Interpretation of Section C26-1206-0, Administrative Code (14.1.13 Building Code), re Waste Lines, Plumbing System.

APPEARANCES—

For Applicant: Sam J. Ernstoff.

ACTION OF BOARD—Laid over to September 22, 1939, at 10 A. M.

925-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—The Salvation Army.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 21124-36.

PREMISES AFFECTED—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

APPEARANCES—

For Applicant: I. U. Slepak.

ACTION OF BOARD—Laid over to September 26, 1939, at 2 P. M.

944-39-A.

APPLICANT—Lawrence M. Rothman, for Tolsen Realty Company, owner (Bronx Asphalt Company, lessee).

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—East Bank of Harlem River, 128 ft. south of West 171st street (Block No. 2541, Lot Nos. 126-132), Borough of The Bronx.

APPEARANCES—

For Applicant: Lawrence M. Rothman and Albert J. Schwarzler.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to September 19, 1939, at 2 P. M. Applicant to file detailed plans in Fire Department.

969-39-A.

APPLICANT—United Metal Box Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21-28), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. J. Cohan and N. W. Smart.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to September 26, 1939, at 2 P. M.

972-39-A.

APPLICANT—Emil Koeppel, for Home Owners' Loan Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—8665 20th avenue, north side, 133 ft. west of Benson avenue (Block No. 6375, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Emil Koeppel.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to September 26, 1939, at 2 P. M.

976-39-A.

APPLICANT—Herman Kron, for N. Y. Central Railroad Co., owner (Walco Petroleum Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—50 West 225th street, south side, 661 ft. east of Broadway (Block No. 2215, part of Lot No. 700), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to September 26, 1939, at 2 P. M. pending inspection by a committee of the board.

392-39-A.

APPLICANT—Allen I. Cole, for Midtown Hotel, Inc., lessee, operating Hotel Cadillac (Robert Goelet, owner).

SUBJECT—Appeal from a decision re and order of the fire commissioner.

PREMISES AFFECTED—1500 Broadway and 153-157 West 43rd street, northeast corner (Block No. 996, Lot Nos. 1 and 7), Borough of Manhattan.

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APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

417-39-A.

APPLICANT—Academy Manufacturing Drug Company, lessee, for Rowac Realty Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—3651 Third avenue, west side, 100 ft. north of East 169th street (Block No. 2910, Lot No. 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Abraham L. Siegel.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

726-39-A.

APPLICANT—Williamsburg Refrigerating Co., Inc., for Geller and Frank Whitfield Vancott, Walter Pettit and John Lackner, owners and lessees; J. William Real Estate Co., Inc. (Greenpoint Beef Co. lessee). Monel Realty Corp. (Otto Morell, lessee) and Anna Hahn (Northwestern Packing Co., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—From 108 North 6th street to 89, 91, 93, 95, 97, 99, 105, 109, 111, 113 and 115 North 6th street, north side, beginning at the corner of Berry street and running 297 ft. westerly along the north side of North 6th street (Block No. 2326, Lot Nos. 27 to 34 inclusive and 36 to 40 inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Greenberg.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

880-39-A.

APPLICANT—W. L. Koburger Co., Inc., owner.

SUBJECT—Appeal from a decision of the fire commissioner re Transportation of Gasoline in Tank Truck (not of approved type) in New York City.

APPEARANCES—

For Applicant: C. W. Koburger.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

898-39-A.

APPLICANT—R. L. Tureaud, for Willard Storage Battery Company, owner.

SUBJECT—Appeal from a decision of the fire commissioner re: Manufacture, transportation, storage, sale and use of anti-freeze known as "Willard Anti-Freeze" and "Willard Odorless Anti-Freeze" in non-refillable cans in New York City.

APPEARANCES—

For Applicant: Donald Agnew.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn—action to be taken under Cal. No. 514-37-A.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

901-39-A.

APPLICANT—Albert Kaufman, for Balfour Construction Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—40-18 Hampton street, south side, 100 ft. 1½ in. east of Baxter avenue (Block No. 1505, Lot Nos. 12, 176, 177 and part of Lot No. 7), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

907-39-A.

APPLICANT—Sylvan Bien, for Irving Trust Co., Executors of Estate of Benjamin L. M. Bates, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112 Park avenue, west side, from East 40th street to East 41st street, 31-41 East 40th street and 56-62 East 41st street (Block No. 1275, Lot Nos. 27 and 43), Borough of Manhattan.

APPEARANCES—

For Applicant: H. Werner.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

936-39-A.

APPLICANT—Sano Transportation Corporation, owner.

SUBJECT—Appeal from a decision of the fire commissioner re Transportation of gasoline in tank trucks (not of approved type) in New York City.

APPEARANCES—

For Applicant: P. T. Monte.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn to comply.

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THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0
Negative 0

945-39-A.

APPLICANT—Herman Wolff, for Moe Shostack, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—60 Hester street, south side, 43 ft. 6 in. west of Ludlow street (Block No. 298, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Wolff.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

970-39-A.

APPLICANT—Percival Robert Moses, for 241 East 22nd Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—223-243 East 22nd street and 381-387 Second avenue, northeast corner (Block No. 903, Lot No. 27), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

454-32-A.

APPLICANT—Lama and Proskauer, for Hentie Realty Corporation, owner.

SUBJECT—Appeal reopened June 20, 1939, re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—22-32 East 16th street (Buckingham road), west side, 172 ft. 8¼ in. south of Caton avenue (Block No. 5076, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Ettie Thomas Schacht and Seymour L. Colin.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(454-32-A)

WHEREAS, this appeal, affecting premises 22-32 East 16th street (Buckingham road) west side, 172 ft. 8¼ in. south of Caton avenue (Block No. 5076, Lot No. 14), Borough of Brooklyn, was denied, as to the conversion of the first floor of the building from residence to public assembly and a request to reopen was withdrawn; and

WHEREAS, Lama and Proskauer, for Hentie Realty Corporation, owner, requested a reopening of this case, to appeal from a decision of the acting borough superintendent of buildings; and

WHEREAS, the case was reopened June 20, 1939; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 19765-38, dated May 19, 1939, reads:

"1. Proposed public assembly in a frame bldg. is contrary to 2.1.3.5 and 4.2.1 of the Building Code."

and

WHEREAS, the building is 2 stories and attic (33 ft. 3 in.) in height, of frame construction, 34 ft. by 55 ft. in area, on a plot 95 ft. by 100 ft. in area, upon which has also been erected a 2 story and attic one family frame building, located in a residence use district, erected in 1914 and occupied since 1926: Cellar—ordinary use; 1st floor—play rooms and class rooms—100 persons; 2nd floor—dining room and classes—100 persons; 3rd floor—dormitory—27 persons, for which certificate of occupancy No. 79154 was issued August 26, 1936, for the use of 1st, 2nd and attic floors for boarding house for children and school for children in outside yard only; and

WHEREAS, the applicant contends that if the building is suitable for children to sleep in, play in and eat in, no additional hazard would be brought about if the children were taught on the premises. It is proposed to install an approved sprinkler system throughout the building and any additional exits that may be deemed necessary by the board; that the installation of the sprinkler system will increase the safety factor by 100%.

Resolved, that the decision of the acting borough superintendent on Alt. Applic. No. 19765-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that all devices for heating the building and supplying hot water shall be removed from the building and that such heat and hot water may be supplied from the plant in the adjoining building at No. 32 East 16th street (Buckingham road); that the existing stairway and exterior fire escape shall be maintained; that the building throughout shall be protected by a 2-source sprinkler system; that in all other respects the building shall comply with the requirements of the certificate of occupancy No. 79154, issued August 26, 1936, except if the requirements of this resolution are complied with, the building may be used for classroom purposes on the 1st and 2nd floors only and that at no time shall there be any classrooms above the 2nd floor; that no cooking shall be carried on in the building and all equipment for cooking within the building shall be removed; that the roof space above the attic story shall be sealed off and left unused with no storage; that at all times the building shall be in charge of responsible persons both at night and day; that no further certificate of occupancy shall be issued until the requirements of this resolution have been fully complied with; that this modification shall continue only so long as the building is occupied for a school, as proposed; that the occupancy of the entire building shall at no time exceed 100 persons throughout and not more than 40 persons shall occupy the building at night; that the building shall comply with all the requirements of the State Board of Regents and the Health Department of the City of New York, where applicable; that in all other respects the building and occupancy shall meet all laws, rules and regulations relating thereto.

386-37-A.

APPLICANT—Lee Samenfeld, for Israel R. Kosh, owner.
SUBJECT—Appeal from a decision of the Commissioner of Buildings.

PREMISES AFFECTED—42-08 Manhattan avenue, west side 590 ft. 11½ in. north of Neptune avenue (Block No. 7024, Lot No. 89), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lee Samenfeld.

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ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(386-37 A)

WHEREAS, Lee Samenfeld, for Israel R. Kosh, owner, filed August 2, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 42-08 Manhattan avenue, west side, 590 ft. 11½ in. north of Neptune avenue (Block No. 7024, Lot No. 89), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, re App. No. 9337-1936, dated July 14, 1937, reads:

"1. Proposed alteration of converting a frame building occupied by two families to a Hereafter Converted Class A Multiple Dwelling for three families, is in violation of Sec. 56. Dept. of Bldgs. Records show Permit No. 4345-35 approved June 11, 1935, issued for 2 families."

and

WHEREAS, the building is of frame construction, 3 stories (34 ft.) in height, 26 ft. by 70 ft. 6 in. in area at 1st story, and 26 ft. by 60 ft. in area above; erected about 1907; located in one-times height, residential use "E" area district and occupied since 1927: Cellar—storage; 1st floor—one family; 2nd floor—one family; 3rd floor—one family; and

WHEREAS, the application herein was the subject of an appeal to the board of buildings under appeal No. 376-36 and a decision by the said board on December 3, 1936, wherein it appears that "it was the consensus of opinion of the board of buildings that the building may be considered as a heretofore converted Class A multiple dwelling regardless of the records on file in the department of buildings, Borough of Brooklyn, under Permit No. 4345-35; and that the order and decision of the commissioner of buildings, Brooklyn, be modified and the appeal granted; and

WHEREAS, the applicant contends that the building has been occupied by three families since 1926, as evidenced by a letter dated September 2, 1936, under the signature of the Deputy Commissioner, Dept. of Water Supply, Gas and Electricity, gas bills showing three meters in use in premises since 1926-1927; that the board of buildings recognized that an error had been committed in statement in application for Permit No. 4345-35 of the use of a frame building not more than 4 stories occupied by not more than 3 families, was allowed outside the fire limits at the time of the increase in occupancy in the building; that the present use existed prior to the enactment of the multiple dwelling law and there has been no increase in occupancy since such enactment and that the occupancy complies with section 56 of the multiple dwelling law; and

WHEREAS, the board deemed that applicant had not substantiated his statement; that this was a legally heretofore converted multiple dwelling.

Resolved, that the decision of the commissioner of buildings, re Applic. No. 9337-36 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1202-38-A.

APPLICANT—Wood, Dolson Co., Inc., for 225 West 86th Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—225 West 86th street, 2360-2378 Broadway and 540-546 Amsterdam avenue (Block No. 1234, Lot No. 19), Borough of Manhattan.

APPEARANCES—

For Applicant: R. M. Ollinger.

For Administration: Peter Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1202-38-A)

WHEREAS, Wood Dolson Co., Inc., for 225 West 86th Street Corporation, owner, filed December 23, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 225 West 86th street, 2360-2378 Broadway and 540-546 Amsterdam avenue (Block No. 1234, Lot No. 19), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, re Viol. No. 3364-39, dated June 29, 1939, reads:

"You will please take notice that there exists a violation of Section 16.16 of the Building Code and C26-1436.0 of the Administrative Code at the premises hereinafter described, in failing to provide a reserve water supply of at least 2500 gallons for standpipe system, so arranged as to give a hydrostatic pressure of at least 5 lbs. at the highest hose valve under main roof in accordance with Section C26-1436 and 16.16

REMEDY:

You are hereby directed to provide a reserve water supply of at least 2500 gallons for standpipe system, so arranged as to give a hydrostatic pressure of at least 5 lb. at the highest hose valve under the main roof in accordance with Section C26-1436 of the A.C. and 16.16 of the B.C."

and

WHEREAS, the building is 13 stories in height, 201 ft. by 328 ft. in area, of fireproof construction; equipped with a standpipe system; erected in 1910 and occupied as a multiple dwelling with stores on the 1st floor; and

WHEREAS, the applicant contends that the standpipe supply tank is under the roof of the pent house and the hose valves in the pent house are approximately 3 ft. below the tank; that there is no dwelling occupancy in the pent house except the superintendent's quarters; that it is proposed to install fire extinguishers throughout the pent house, as required by the fire department.

Resolved, that the decision of the borough superintendent, on Viol. No. 3364-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the main riser shall be extended to connect with the existing house tank, so that at all times there will be a reserve of 2500 gallons available for standpipe purposes in such tank in addition to the existing standpipe tanks located below the penthouse roof; that this connection may be so made that the full capacity of all the tanks are also available for domestic purposes; that in all other respects the standpipe system shall comply with the requirements for existing standpipe system.

71-39-A.

APPLICANT — Spear Lighting Fixture Manufacturing Company, lessee, for Dime Savings Bank of Brooklyn, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—49-61 Clymer street, north side, 165 ft. west of Wythe avenue (Block No. 2167, Lot Nos. 18 to 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathalia Scharf.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(71-39-A)

WHEREAS, Spear Lighting Fixture Manufacturing Company, leasee, for Dime Savings Bank of Brooklyn, owner, filed on January 18, 1939, an appeal from an order and decision of the fire commissioner, affecting premises 49-61 Clymer street, north side, 165 ft. west of Wythe avenue (Block No. 2167, Lot Nos. 18 to 46), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 76644-LC, dated September 15, 1938, reads:

"4. Discontinue the maintenance of any open flames or sparking device within floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire-resisting materials."

and

WHEREAS, the decision of the fire commissioner, dated December 19, 1938, refers to the above order; and

WHEREAS, the building is of brick construction, 6 stories (72 ft.) in height, 125 ft. by 46 ft. in area at 1st story and 116½ ft. by 46 ft. in area above; located in an unrestricted use district; erected in 1872; equipped with a sprinkler system; occupied since 1928: Cellar—vacant; 1st floor, mfg. novelties, 10 persons; 2nd floor, vacant; 3rd floor, mfg. lighting fixtures, 20 persons; 4th floor, vacant; 5th floor, Feathers, 5 persons; 6th floor vacant, no certificate of occupancy; and

WHEREAS, spraying is done on the 3rd floor in connection with the manufacture of lighting fixtures and there is an oven on this floor; and

WHEREAS, the applicant contends that there are sufficient windows for ventilation between the spray room and the torch bench.

Resolved, that the order of the fire commissioner, No. 76644-LC be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be no open flame on the 3rd floor within a distance of 50 feet from any area where paint spraying is carried on; that the sprinkler system throughout the building shall be maintained to the satisfaction of the fire commissioner; that in all other respects the Paint Spraying Rules of the Board of Standards and Appeals shall be complied with; that in all other respects all laws, rules and regulations applicable to the building and its occupancy shall be complied with.

172-39-A.

APPLICANT—Harry B. Richard, for Henry Buttenheim, owner.

SUBJECT—Appeal from orders and a decision of the fire commissioner.

PREMISES AFFECTED—18-22 Broadway, south side, 51 ft. 9 in. east of Kent avenue (Block No. 2129, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry B. Richard and Harold S. Buttenheim.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(172-39-A)

WHEREAS, Harry B. Richard, for Henry Buttenheim, owner, filed February 11, 1939, an appeal from orders and a decision of the fire commissioner, affecting premises 18-22 Broadway, south side, 51 ft. 9 in. east of Kent avenue (Block No. 2129, Lot No. 10), Borough of Brooklyn; and

WHEREAS, the orders of the fire commissioner, No. 142-LF, issued April 25, 1938 and Order No. 77997-LC, issued January 20, 1939, read:

"Provide a separate and distinct system of *Automatic Sprinklers* throughout building having at least one source of water supply. C-19-161.0 Administrative Code of the City of New York."

and

WHEREAS, the decision of the fire commissioner, dated January 12, 1939, reads:

"This will reply to your request for rescindment and reissuance of order No. 142-LF so that appeal can be made to the Board of Standards and Appeals.

You will please be advised that the policy of this department is not to reissue any order, therefore your request must be denied."

and

WHEREAS, the building is 5 stories (52 ft.) in height, 66 ft. by 87 ft. in area, of nonfireproof construction; located in an unrestricted use district; erected more than 40 years ago; and occupied: 1st floor, office, 1 person; 2nd floor, storage of metal beds, 2 persons; 3rd floor, storage—no persons; 4th floor, sorting wool stock, 3 persons; 5th floor, same, 2 persons; and

WHEREAS, the applicant contends that in view of the small number of people employed in the building and the character of occupancy, that the hazard is slight and requests the board to modify the requirements of the fire commissioner and to permit the use of the building for the purposes for which it is now used.

Resolved, that the order of the fire commissioner, No. 142-LF, former Order No. 77997-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed on the floors where sorting of wool stock and storage of baled wool stock is carried on, a sprinkler system, complying with the requirements of the building code therefor, except that the system may be connected to the domestic water supply of the building, provided at least 15 lbs. pressure is available on the floors involved, and waiving the requirements for an automatic fire alarm system and a street siamese connection; that such system shall be maintained to the satisfaction of the fire commissioner, as long as the occupancy is continued; that such portable fire-fighting appliances shall also be installed as the fire commissioner shall direct.

345-39-A.

APPLICANT—Simon B. Zelnik, for Forest Hills Estates, Inc., lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—72-17 to 72-19 Austin street, north side, 55.10 ft. east of Roman avenue (Block No. 3258, Lot No. 28), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Simon B. Zelnik and Alfred L. Weinberg.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied, reopened and granted on condition.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

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THE VOTE TO RECONSIDER—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(345-39-A)

WHEREAS, Simon B. Zelnik, for Forest Hills Estates, Inc., lessee for John Meenan and Margaret Meenan, owners, filed March 20, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 72-17 to 72-19 Austin street, north side, 55.10 ft. east of Roman avenue (Block No. 3258, Lot No. 28), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, re Alt. Application 7679-38, dated February 27, 1939, reads:

"1. 8 inch wall may not be omitted, as it was the basis upon which reconsideration was granted for acceptance of existing conditions."

and

WHEREAS, the building is one story (14 ft.) in height, 100 ft. by 67 ft. in area of Class 3 and Class 4 construction, erected in 1929, located in a business use district and occupied: Cellar, salesroom; first floor, store; and

WHEREAS, the applicant requests permisison to maintain wood stud partition wall as now existing and contends that in accordance with section 4.1.5 of the code, any existing wood frame structure may be maintained, provided any new extensions are all class 1, 2 or 3.

Resolved, that the decision of the borough superintendent of buildings, on Alt. Application No. 7679-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to objection No. 1, *on condition* that in lieu of the 8 inch brick wall shown, the existing wood partition, starting at the concrete wall in the cellar and continuing to the underneath side of the roof boards, shall be filled in between the studs with at least 4 inches of brick well slushed in and in addition shall be surfaced with wire lath and plaster for that same height on at least one side and the other side may remain protected by wood lath and plaster; that in all other respects the existing conditions and all other structural requirements shall be in accordance with the requirements of the building code and with all other laws, rules and regulations applicable thereto.

380-39-A.

APPLICANT—Davies Air Filter Corporation, Adams and Company, lessees (Fourth Avenue Retail Corporation, owner).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—390-396 Fourth avenue, west side, 46.3 ft. north of East 27th street (Block No. 857, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(380-39-A)

WHEREAS, the Davies Air Filter Corporation, for Adams and Company, lessee (Fourth Avenue Retail Corporation, owner), filed March 28, 1939, with this board an appeal from Order No. 16119-C of the fire commissioner, affecting premises: 390-396 Fourth avenue, west side, 46.3 ft. north of East 27th street (Block No. 857, Lot No. 40), Borough of Manhattan; and

WHEREAS, when this case was called for hearing, no representative appeared for the applicant, though duly notified to do so.

Resolved, that the appeal be and it hereby is dismissed for lack of prosecution.

397-39-A-WF.

APPLICANT—Austin W. Magee, for Louis Gallucci, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—126-01 to 126-09 Roosevelt avenue and 126-02 to 126-14 Willets Point boulevard, northeast corner (Block No. 1833, Lot No. 117), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(397-39-A-WF)

WHEREAS, Austin W. Magee, for Louis Gallucci, owner, filed March 30, 1939, an application for permission to erect a sign other than on the face of a building as prohibited by section 4 of the World's Fair Resolution, as cited in a decision of the borough superintendent of buildings, affecting premises 126-01 to 126-09 Roosevelt avenue and 126-02 to 126-14 Willets Point boulevard, northeast corner (Block No. 1833, Lot No. 117), Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, re Misc. Applic. No. 93-39, dated March 9, 1939, reads:

"1. The erection of a sign on other than the face of a building located within the World's Fair area is contrary to section 4 of the World's Fair Resolution.

Show compliance with requirements of G.R. 375, Board of Standards and Appeals—re replacement."

and

WHEREAS, the premises consist of a plot fronting 98.39 ft. on Roosevelt avenue and 111.9 ft. on Willets Point boulevard, located in a business and unrestricted use district, upon which there has been erected a one story office lubritorium and the necessary tanks and pumps for the conduct of a gasoline service station; and

WHEREAS, it is proposed to erect a sign advertising the brand of gasoline sold on the premises, said sign not to exceed 30 sq. ft. in area; and

WHEREAS, the applicant contends that when the station was planned, the district was unrestricted, but the zone has since been changed, so that a portion of the station is now in a business zone; that the sign was contemplated at the time of the erection of the building, but was not erected until after the World's Fair area was created; that there are non-illuminated signs on the face of the building consisting of 6 in. and 10 in. raised metal letters on each side of the show window.

Resolved, that the decision of the borough superintendent acting on Misc. Applic. No. 93-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted*

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on condition that the signs shall be located only on the portion of the plot within the unrestricted district; that such signs may be attached to the building within the unrestricted district or may be on post standards erected within the building line, one on Willets Point boulevard and one on Roosevelt avenue; that such signs shall advertise only the brand of gasoline on sale and may be illuminated and may extend beyond the building line for a distance of not more than four (4) feet; that such signs may be continued only so long as the occupancy of the building and premises meets all requirements of all laws rules and regulations, including the Zoning Resolution, applicable thereto.

402-39-A.

APPLICANT—Frank Mitchell, for Morris Benedon, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—186-188 Elizabeth street and 11 Spring street, northeast corner (Block No. 492, Lot No. 44), Borough of Manhattan.

APPEARANCES—

For Applicant: S. B. Wasserman.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(402-39-A)

WHEREAS, Frank Mitchell, for Morris Benedon, owner, filed March 31, 1939, an appeal from a decision re an order of the fire commissioner, affecting premises 186-188 Elizabeth street and 11 Spring street, northeast corner (Block No. 492, Lot No. 44), Borough of Manhattan; and

WHEREAS, the order and decision of the fire commissioner, re Order 14711-LC, dated March 21, 1939, reads:

"Replying to your favor of March 14, 1939, and in compliance with your request, we are quoting herewith order 14711-LC, issued against Frank Mitchell at the above mentioned premises:

"With reference to your application dated October 24, 1938, for a permit to store empty wooden and packing cases, boxes, etc. at above location, I regret to inform you that this department is without power to grant such a permit for the reason:

That sect. C-19-150.0-B-2, Article 26, New York City Administrative Code prohibits the issuance of such permit, for the reason premises occupied by you is located within fifty feet of the nearest wall of a building occupied as a school.

YOU ARE THEREFORE, HEREBY,
ORDERED TO:

1. Discontinue the storage of empty wooden packing cases, boxes or barrels in a quantity occupying a space greater than 2,000 cubic feet on these premises. Sec. C-19-150.0—Art. 26, New York City Administrative Code."

and

WHEREAS, the building is 5 stories (60 ft.) in height, 89 ft. by 25 ft. in area, of ordinary brick construction; erected in 1895, located in a business use district and occupied: Cellar, 1st and 2nd stories, stable; 3rd floor, vacant; 4th and 5th floors, storage of empty wooden cases; and

WHEREAS, the applicant contends that the school in question is separated from the building by the full width of the street; that there is no hazard involved and the permit requested should be granted.

Resolved, that the order of the fire commissioner, No.

14711-LC be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the storage of wooden packing cases, boxes and barrels shall be restricted to the two floors (4th and 5th floors) only; that the balance of the building shall be maintained to the satisfaction of the borough superintendent and the fire commissioner; that such portable fire extinguishing equipment shall be installed throughout the building as the fire commissioner shall direct; that no packing cases, boxes or barrels shall be piled nearer to the ceiling than 18 inches and that proper aisle space shall be maintained.

405-39-A.

APPLICANT—Leonard A. Swarthe, for Frieda Kaufler, lessee (R. Kruckel, owner).

SUBJECT—Appeal from an order and a decision of the Deputy Commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—960 East 173rd street, southeast corner of Vyse avenue (Block No. 2996, Lot No. 23), Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard A. Swarthe.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(405-39-A)

WHEREAS, Leonard A. Swarthe, for Frieda Kaufler, lessee (R. Kruckel, owner), filed March 31, 1939, an appeal from an order and a decision of the deputy commissioner, division of housing, department of housing and buildings, affecting premises 960 East 173rd street, southeast corner Vyse avenue (Block No. 2996, Lot No. 23), Borough of The Bronx; and

WHEREAS, the order of the deputy commissioner, division of housing, department of housing and buildings, dated December 21, 1938, reads:

"5. Beauty Parlor is being conducted at the following location:

1st story, front west apartment.

Such use is prohibited in a residence district and YOU ARE HEREBY DIRECTED TO DISCONTINUE SUCH USE AND OCCUPANCY FORTHWITH."

and

WHEREAS, the decision of the deputy commissioner, division of housing, department of housing and buildings, dated March 28, 1939, reads:

"In reply to your communication of the 27th inst., please be advised that permission granted August 10, 1937, to conduct beauty parlor in the first floor, apartment No. 2, of said premises was granted because conditions conformed with Departmental General Order in force at that time.

Said General Order was rescinded and superseded October 11, 1937, by Departmental General Order prohibiting such occupation in a residence zone as contrary to the Building Zone resolution.

Your request for dismissal of item is therefore denied."

and

WHEREAS, the applicant has filed a copy of a communication dated August 10, 1937, addressed to the Department of Health by the then tenement house commissioner, which reads as follows:

"In reply to your letter dated July 1st and August 6th regarding the application of Frieda Kaufler to conduct a beauty parlor on the first floor, Apartment No. 2, of said premises, you are advised that as the

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result of a special inspection in accordance with General Order 2-1936, of this Department, permission is granted for the use of said apartment as a beauty parlor."

and

WHEREAS, the building is four stories (45 ft.) in height, 35 ft. by 90 ft. in area; of nonfireproof construction; erected in 1909; located in a residence use district and occupied as a Class A multiple dwelling; and

WHEREAS, the applicant contends that the apartment in question has been occupied by the present lessee since June, 1937, as a beauty parlor; on June 24, 1937 P. and D. App. No. 564-37 was filed for the installation in said apartment of a wash basin; that said application was approved and installation completed and an application made to the department of health for a beauty parlor permit; that the department of health referred the application to the tenement house department for permission to operate the beauty parlor and said permission was granted by the tenement house department, pursuant to general order No. 226, as indicated in the communication of the tenement house commissioner addressed to the department of health August 10, 1937; that subsequently, the health department permit No. 23276 was issued for a beauty parlor to expire November 30, 1938, and renewed by permit No. 36378 to expire November 30, 1939; that the apartment in question is a 5-room apartment consisting of kitchen, living room, two bedrooms and one room occupied as a beauty parlor; that the lessee employs no outside help, has no window display other than a name-plate sign in the window; that the use is an accessory use as permitted under Article 2, Section 3 of the building zone resolution; and

WHEREAS, the committee of the board which inspected the premises found that the use of the premises was a business and not a professional use and not a usual accessory use permitted in a district zoned for residential uses.

Resolved, that the order of the deputy commissioner, division of housing, department of housing and buildings, dated December 21, 1938, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

449-39-A.

APPLICANT—Edwin W. Kleinert for Dutch Amusement Co., Inc., lessee (Allan Kramer, owner).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—1526-1528 Bowery and 3029-3059 West 16th street, southeast corner (Block No. 7074, part of Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(449-39-A)

WHEREAS, Edwin W. Kleinert, for Dutch Amusement Co., Inc., lessee (Allan Kramer, owner), filed April 10, 1939, an appeal from an order of the fire commissioner, affecting premises 1526-1528 Bowery and 3029-3059 West 16th street, southeast corner (Block No. 7074, part of Lot No. 20), Coney Island, Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 76150-C was referred to in a decision of the fire commissioner, dated March 28, 1939, and reads:

"1. Surrender to the bearer, Fire Department Permit No. 181273, expiring August 6, 1938 authorizing the

storage and use of 5 gallons of gasoline, as same is revoked for the following reason:

'Section C-19-51, of the Administrative Code, states that no permit shall be issued for the storage of volatile inflammable oil in any building, which is occupied as a tenement house, dwelling, school or place of public amusement or assembly.'

2. You are, therefore, ordered to remove all gasoline from the premises, and to discontinue the further storage and use of gasoline on said premises."

and

WHEREAS, the premises consist of a plot 30 ft. by 268 ft. in area, occupied by an amusement device, located in a business use district, erected prior to 1916; and

WHEREAS, the applicant contends that the premises are occupied by an amusement concession consisting of miniature automobiles driven by fractional horsepower gasoline engines; each car holds about one gallon of gasoline; that the cars are filled from five (5) gallon safety cans approved by the fire commissioner; that it is proposed to provide an underground concrete box with steel cover, as shown on plans filed with this appeal, for the storage of two (2) five (5) gallon safety cans of gasoline, making a maximum of ten (10) gallons on the premises at any one time; that the buildings on the plot are sheds open to the outer air on three sides; that there is no possibility of accumulated gas fumes and that conditions are not hazardous.

Resolved, that the order of the fire commissioner, No. 76150-C, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than 10 gallons of gasoline shall be stored at any one time; that such gasoline shall be stored in approved 5-gallon safety cans and stored within a concrete enclosure, vented to the outer air and with hinged cover, as indicated on plans filed with this appeal.

461-39-A.

APPLICANT—Leonard A. Swarthe, for Louis Brenner, tenant lessee (Ashland Properties, Inc., owner).

SUBJECT—Appeal from a decision of the deputy commissioner, division of housing, department of housing and buildings.

PREMISES AFFECTED—2075 Grand Concourse, southwest corner of East 180th street (Apartment 1A); (Block No. 3160, Lot No. 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard A. Swarthe.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Absent 0

THE RESOLUTION—

(461-39-A)

WHEREAS, Leonard A. Swarthe, for Louis Brenner, tenant lessee (Ashland Properties, Inc., owner), filed April 10, 1939, an appeal from a decision of the deputy commissioner, division of housing, department of housing and buildings, affecting premises 2075 Grand Concourse, southwest corner of East 180th street (apartment 1A); (Block No. 3160, Lot No. 20), Borough of The Bronx; and

WHEREAS, the decision of the deputy commissioner, dated April 4, 1939, reads:

"In reply to your communication of March 29, 1939, requesting dismissal of item 4, please be advised that same is herewith denied, for the reason that this is a violation of the Zoning Resolution in that business (tailor shop) is being conducted in above premises with signs displayed indicating such business."

and

WHEREAS, the building is 6 stories (66.5 ft.) in height,

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100 ft. by 92 ft. in area of non-fireproof construction, located in a residence use "B" area district, erected in 1924 and occupied throughout as a Class "A" Multiple Dwelling; and

WHEREAS, on September 22, 1938, a zoning violation was issued against said premises; and

WHEREAS, the applicant contends that the lessee of apartment 1A occupies said apartment as a residence, consisting of five rooms and uses the living room only as a tailor shop and does not employ any outside help; that such use is an accessory use, customary to the residence use and should be permitted under article 2, section 3 of the building zone resolution; and

WHEREAS, in the opinion of the board, the proposed use is a business use and not permitted in a district zoned for residence use.

Resolved, that the decision of the deputy commissioner, division of housing, department of housing and buildings, dated April 4, 1939, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

462-39-A.

APPLICANT—Leonard A. Swarthe, for Irving Topper, tenant lessee (Ashland Properties, Inc., owner).

SUBJECT—Appeal from a decision of the deputy commissioner, division of housing, department of housing and buildings.

PREMISES AFFECTED—2075 Grand Concourse, southwest corner of East 180th street (apartment 1E); (Block No. 3160, Lot No. 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard A. Swarthe.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(462-39-A)

WHEREAS, Leonard A. Swarthe, for Irving Topper, tenant lessee (Ashland Properties, Inc., owner), filed April 10, 1939, an appeal from a decision of the deputy commissioner, division of housing, department of housing and buildings, affecting premises 2075 Grand Concourse, southwest corner of East 180th street (Apartment 1E); (Block No. 3160, Lot No. 20), Borough of The Bronx; and

WHEREAS, the decision of the deputy commissioner of housing and buildings, dated April 4, 1939, reads:

"In reply to your communication of March 29, 1939, requesting dismissal of item 6, please be advised that same is herewith denied, for the reason that this is a violation of the Zoning Resolution in that business (curtain shop) is being conducted in above premises with signs displayed indicating such business."

and

WHEREAS, the building is 6 stories (66.5 ft.) in height, 100 ft. by 92 ft. in area of non-fireproof construction, located in a residence use "B" area district, erected in 1924 and occupied throughout as a Class "A" Multiple Dwelling; and

WHEREAS, on October 10, 1938, a zoning violation was issued against said premises; and

WHEREAS, the applicant contends that the lessee of apartment 1E occupied said apartment as residence of six rooms and uses two rooms only, as a curtain shop; that he does not employ any outside help; that the curtain shop in this instance is an accessory use, customary to the residence use and should be permitted under article 2, section 3 of the building zone resolution; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board and the committee

recommended the denial of the appeal, as this is definitely a business use and not a permitted accessory use in a residence use district.

Resolved, that the decision of the deputy commissioner, division of housing, department of housing and buildings, dated April 4, 1939, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

476-39-A.

APPLICANT—Albert G. Hillberg, for Doreal Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—524 East 11th street, south side, 308 ft. east of Avenue A (Block No. 404, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS FOR LACK OF PROSECUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(476-39-A)

WHEREAS, Albert G. Hillberg, for Doreal Realty Corporation, owner, filed April 17, 1939, with this board, an appeal from a decision of the borough superintendent of buildings, Alteration Application No. 2276-36, affecting premises: 524 East 11th street, south side, 308 ft. east of Avenue A (Block No. 404, Lot No. 16), Borough of Manhattan; and

WHEREAS, when this case was called for hearing no representative appeared for the applicant, though duly notified to do so.

Resolved, that the appeal be and it hereby is dismissed for lack of prosecution.

501-39-A.

APPLICANT—Frank Bambara, for Metropolitan Jockey Club, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 168-02 Baisley boulevard, southeast corner of New York boulevard, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Frank Bambara.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(501-39-A)

WHEREAS, Frank Bambara, for Metropolitan Jockey Club, owner, filed April 20, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 168-02 Baisley boulevard, southeast corner of New York boulevard, Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings on N.B. Application No. 1228-39, dated March 21, 1939, reads:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and

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WHEREAS, the proposed building will be one story (19 ft.) in height, 142 ft. 4 in. by 44 ft. 8 in. in area of frame construction, located partly in a business and partly in a residence use district and occupied as stable for 22 horses in connection with a race track conducted on the premises; and

WHEREAS, the applicant contends that the building will replace a building erected in 1902 and destroyed by fire in 1938; that it is proposed to construct the building in harmony with the existing building now on the premises; that the yard hydrant system has been installed since the fire, which destroyed the original building and that hazard will not be created, in view of the spacing of the buildings.

Resolved, that the decision of the borough superintendent as to N.B. Application No. 1228-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the erection of a frame building, as proposed, *on condition* that the building is substantially of the size and area as the previous building which was destroyed by fire and for the same stable purposes.

507-39-A.

APPLICANT—Viadock Parking Station, Inc., lessee, for New York Central Railroad, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—506-508 West 22nd street, south side, 100 ft. west of Tenth avenue and 507-509 West 21st street, north side, 100 ft. west of Tenth avenue (Block No. 693, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: A. Lionel Levy.

For Opposition: J. Francis Waldie.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(507-39-A)

WHEREAS, Viadock Parking Station, Inc., lessee, for New York Central Railroad, owner, filed on March 21, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 506-508 West 22nd street, south side, 100 ft. west of Tenth avenue and 507-509 West 21st street, north side, 100 ft. west of Tenth avenue (Block No. 693, Lot No. 28), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated March 23, 1939, reads:

"Answering your letter of March 17, 1939, with reference to application for a certificate of occupancy for the use of the above premises for the parking and storage of more than five motor vehicles, we wish to advise you that application has been denied for the following reasons:

"1. Address of parking space noted in application is incorrect.

2. Parking space is within 200 ft. of entrance to Guardian Angel Parochial School. (176 ft. from space to school entrance.)"

and

WHEREAS, the premises consist of a plot 50 ft. front by 197 ft. 6 in. in area; located in an unrestricted use district; it is proposed to occupy the lot for the parking and storage of more than five motor vehicles; and

WHEREAS, the applicant contends that the lot is located underneath a railroad structure of the New York Central Railroad and is enclosed with a wire fence, and is com-

pletely shut off on the 21st street frontage by such fence; that the lot has a frontage of 50 ft. on 22nd street, which is more than 200 ft. from the school as shown on the plot diagram filed with this case; that the proposed parking space adjoins garages and warehouses, which are in no way affected by the proposed use; that the block from Tenth to Eleventh avenues as shown on the diagram filed does not have any dwellings of any kind, and the point of travel from the parking plot is west to the river front; that the plot is necessary to provide adequate parking for business people of the neighborhood; that this appeal is similar to the matter of Friedel vs. Murdock et al, New York Law Journal, November 15, 1938; and that the granting of this use will be in harmony with the general use and intent of the building zone resolution, and will constitute a convenience to the general public; and

WHEREAS, the board found that the proposed parking space is within 200 ft. along the line of travel of a duly organized school and that it was without jurisdiction to grant under decision of the court.

Resolved, that the decision of the borough superintendent, dated March 23, 1939, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

538-39-A.

APPLICANT—Edwin W. Kleinert, for Edward H. Buschman, owner (George Terra, lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—1324 Bowery and 3029 West 15th street, southeast corner (Block No. 7074, Lot No. 256), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(538-39-A)

WHEREAS, Edwin W. Kleinert, for Edward H. Buschman, owner, filed April 28, 1939, an appeal from an order of the fire commissioner, affecting premises 1324 Bowery and 3029 West 15th street, southeast corner (Block No. 7074, Lot No. 256), Borough of Brooklyn; and

WHEREAS, order No. 72214-LC, referred to in a decision of the fire commissioner, dated April 6, 1939, reads:

"You are, therefore, ordered to remove all gasoline from said premises and to discontinue the further storage of gasoline on premises."

and

WHEREAS, there was a previous order, No. 72214-LC, issued by the fire commissioner August 13, 1937, which reads:

"Subdivision 2a, Section 112, Chapter 10, Code of Ordinances New York, states that no permit shall be issued for the storage of volatile inflammable oil (gasoline) in a building which is occupied as a tenement house, dwelling, school or place of public amusement or assembly."

1. You are, therefore, ordered to remove all gasoline from said premises and to discontinue the further storage of gasoline on premises."

and

WHEREAS, the premises consist of a plot 60 ft. by 125 ft. in area, upon which there has been erected a three (3) story frame building 34 ft. in height, 60 ft. by 100 ft. in area, erected prior to 1916, located in a business use district and occupied as follows: 1st floor—amusement device

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(miniature auto ride)—30 persons; 2nd floor—one family—5 persons; 3rd floor—vacant; and

WHEREAS, the applicant contends that the premises are occupied by an amusement concession consisting of miniature automobiles driven by fractional horsepower gasoline engines; each car holds about one gallon of gasoline; that the cars are filled from five (5) gallon safety cans approved by the fire commissioner; that it is proposed to provide an underground concrete box with steel cover, as shown on plans filed with this appeal, for the storage of two (2) five (5) gallon safety cans of gasoline, making a maximum of ten (10) gallons on the premises at any one time; that the building is three (3) story frame with the amusement concession on the ground level; that at this level the building is open on two (2) sides; that the building occupancy on the 2nd floor is the caretaker; that the 3rd floor is vacant; that the 1st floor is 16 ft. high and the ceiling of the 1st floor is covered with metal; that the storage of gasoline as proposed within the concrete storage box would not be hazardous, as the gasoline would burn out completely without endangering the ceiling 16 ft. above.

Resolved, that the order of the fire commissioner, No. 72214-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than 10 gallons of gasoline shall be stored at any one time; that such gasoline shall be stored in five (5) gallon approved safety cans and stored within a concrete enclosure, vented to the outer air and with hinged cover, as indicated on plans filed with this appeal.

626-39-A.

APPLICANT—C. F. Oestereich, for Frank G. Shattuck, lessee (National City Realty Corporation, owner).
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—13 East 42nd street, north side, 121 ft. east of Madison avenue and 16-18 East 43rd street (Block No. 1277, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant—Charles F. Oestereich.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(626-39-A)

WHEREAS, C. F. Oestereich, for Frank G. Shattuck, lessee (National City Realty Corporation, owner), filed on May 15, 1939, an appeal from an order of the fire commissioner, affecting premises 13 East 42nd street, north side, 121 ft. east of Madison avenue and 16-18 East 43rd street (Block No. 1277, Lot No. 12), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 16615-LC, issued March 30, 1939, reads:

"1. Discontinue direct system of refrigeration above the first story (Air Conditioning system).

NOTE: Applies to Universal Machines on 4th story used for air conditioning on 1st and 2nd stories. Sec. C-19.98.0, Administrative Code."

and

WHEREAS, the building is 7 story and penthouse (96 ft.) in height, with a frontage of 22 ft. on 42nd street, and 47 ft. on 43rd street, and a depth of 200 ft., of fireproof construction, equipped with a standpipe system, located in a business use district, erected in 1922 and occupied: sub-cellar—storage; cellar—storage and machinery, 12 persons; first floor—store and restaurant, 230 persons; mezzanine—restaurant, 185 persons; second floor—restaurant,

375 persons; third floor—restaurant, 190 persons; fourth to seventh floors inclusive—offices, 40 persons; penthouse—offices; and

WHEREAS, the appellant contends that the equipment installed in the premises consists of 10 ten-ton compressors located on the fourth floor, each containing 20 lbs. of Freon; each compressor has its individual direct expansion coil located on the suction side of 20,000 C.F.M. fresh air fan located in the penthouse on the roof; that there are also 2 ten-ton compressors in the basement, one of which is connected to two re-circulating cooling units set above the 42nd street entrance, and one compressor connected to two re-circulating blower units set above the 43rd street entrance; that fresh air is discharged through ducts to first floor, mezzanine, second and third floor dining rooms. Electric connections are arranged, so that compressors cannot be operated unless the fan is operating; that the entire refrigerating system is confined to the fourth floor and penthouse, connections between the coils on the roof and the machines on the fourth floor are run on the outside of the building; that due to amount of refrigerant, the volume of air conditioned space, and the amount of air being introduced in the conditioned space, that the system presents no hazard.

Resolved, that the order of the fire commissioner, No. 16615-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the air-conditioning system shall meet the requirements of the fire commissioner in all other respects; that the refrigerating lines at the exterior of the building shall be protected to the satisfaction of the fire commissioner; that the space in which the air-conditioning equipment is installed on the 4th floor, shall be separated from all other parts of the floor by masonry partitions and any doors therein shall be made self-closing and tight-fitting; that in all other respects it shall meet the requirements of all laws, rules and regulations applicable to the equipment and occupancy of the building.

672-39-A.

APPLICANT—Alvin Storage and Warehouse Co., Inc., lessee (United States Trust Company, owner).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—205 Lexington avenue, east side, 49 ft. 5 in. north of East 32nd street (Block No. 888, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Seldman and Hiram Cohen.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(672-39-A)

WHEREAS, Alvin Storage and Warehouse Co. Inc., lessee (United States Trust Company, owner), filed May 22, 1939, an appeal from an order and a decision of the fire commissioner affecting premises 205 Lexington avenue, east side, 49 ft. 5 in. north of East 32nd street (Block No. 888 Lot No. 22), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 2938-LF, dated November 7, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply, arranged and equipped as per Art. 16, Ch. 26, Adm. Code.

Plans to be filed with and approved by the Depart-

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ment of Housing and Buildings before work on such system is commenced. C19-161.0 Adm. Code."

and

WHEREAS, the decision of the fire commissioner dated April 21, 1939, reads:

"In reply to your request for reconsideration on Order No. 2938-LF pending against the above premises and requiring a sprinkler system in the cellar, you are advised as follows:

A reinspection has been made and in view of the combustible material stored in the cellar, your request must be denied."

and

WHEREAS, the building is 6 stories (58 ft. 8 in.) in height, 24 ft. 8 in. by 95 ft. in area, erected about 1924 in a business use district, of nonfireproof construction; occupied: Cellar—furniture storage; 1st floor, furniture, storeroom—2 persons; 2nd to 6th floors, inclusive, same, no persons; and

WHEREAS, the applicant contends that there is less than \$100 worth of merchandise stored in the cellar; the building is kept clean and in good condition.

Resolved, that the order of the fire commissioner, No. 2938-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the cellar shall be used only for the storage of incombustible material and that there shall be no packing or uncrating carried on therein; that the existing means of exit stairways from the cellar, as enclosed, shall be maintained; that such portable fire-fighting equipment shall be installed in the cellar, as the fire commissioner shall direct; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this modification shall continue only so long as the building is occupied as stated.

673-39-A.

APPLICANT—Holy Cross Society, Inc., by Giacomo Albanese, President, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge 1500 ft. off shore, Soundview avenue and Classon Point, East River, Borough of The Bronx.

APPEARANCES—

For Applicant: Pasquale J. Fiorella.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(673-39-A)

WHEREAS, Holy Cross Society, Inc., by Giacomo Albanese, president, applicant, filed on May 22, 1939, an appeal from a decision of the fire commissioner, affecting premises: Barge, 1500 ft. off shore, Soundview avenue and Classon Point, East River, Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner, dated May 19, 1939, reads:

"Your application dated May 12, 1939 on behalf of the Society of the Holy Cross of Sannicandresi, Inc., of 167 East 105th street, Manhattan, for the display of fireworks by the said Society on August 20th and 21st, 1939, on a barge anchored 1500 feet off shore at the end of Soundview avenue and Classon Point, Borough of The Bronx, has been received and considered and is hereby denied for the reason that it is not the policy of this Department to issue permits for the display of fireworks."

and

WHEREAS, it is proposed to display fireworks of the aerial type from a barge located 1500 ft. off shore in connection with the celebration of the Feast of the "Holy Cross" on August 20th and 21st, 1939; and

WHEREAS, the applicant contends that the display will be conducted under the supervision of a licensed pyrotechnist.

Resolved, that the decision of the fire commissioner, dated May 19, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the display of fire works, restricted to the aerial type, to be discharged from a barge located approximately 1500 feet off shore near Classon Point, substantially as indicated on plan filed with this appeal, *on condition* that such barge shall be satisfactory to the fire commissioner and that the fire works shall be discharged from a mortar anchored to the deck of the barge, as approved by the fire commissioner and that fire extinguishers of such size as the fire commissioner shall direct shall be in readiness on the barge at all times; that the discharge of fire works shall be toward the open water and shall not take place while a barge or tanker containing oil or gasoline is within a distance of 2,000 feet; that the display shall be in charge of a pyrotechnist having a certificate of fitness issued by the fire commissioner; that this permit shall be restricted to two days between August 20th and August 25th, 1939.

683-39-A.

APPLICANT — Hilo Varnish Company, lessee (Peele Company, owner).

SUBJECT—Appeal from an order and the decision of the fire commissioner.

PREMISES AFFECTED—42-60 Stewart avenue, southwest corner of Ingraham street (Block No. 3001, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: William L. Schwalb.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(683-39-A)

WHEREAS, Hilo Varnish Company, lessee (Peele Company, owner), filed May 23, 1939, an appeal from an order and a decision of the fire commissioner affecting premises 42-60 Stewart avenue, southwest corner of Ingraham street (Block No. 3001, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 78742-LC, dated March 8, 1939, reads:

"2. Discontinue the packing of inflammable mixture (paint remover) in the same building where materials of highly inflammable nature are manufactured or stored (paints, varnishes, etc.). C-19-59.0-C, Administrative Code.

3. Discontinue maintenance of any open flames (gas oven) within floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire resisting material. Rule C-1.8-a, Spray Rules."

and

WHEREAS, the above order is referred to in a decision of the fire commissioner dated May 19, 1939; and

WHEREAS, the building is three stories (75 ft.) in height, 200 ft. by 80 ft. in area, of fireproof construction, equipped with a standpipe and sprinkler system, located in an unrestricted use district, erected in 1931 and occupied: 1st floor, filling, packing and labelling of paints, 19 persons; 2nd floor, grinding, mixing and filling paint, 18 persons; 3rd floor, grinding, mixing and filling paints, 2 persons; and

WHEREAS, the applicant contends that there is stored

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on the premises the following quantities: varnish remover—250 gallons; rosin—2,000 drums; rosinoil, 20 drums; No. 30 solvent, 5 drums; silor oil, 5 drums; fossil gum, 2,000 bags; turpentine, 10 drums; kerosene, 10 drums; No. 300 oil, 1 drum; pitch, 20 drums; gilsonite, 80 bags; approximately 10,000 gallons of finished goods consisting of enamels, paints, varnishes, etc., in cans, and 120 drums of similar products; that the only spraying or painting carried on is small amounts of material poured on tin and baked in a Gehnrich oven 12 feet from spray booth, for the purpose of making samples to be submitted to customers; that not more than ½ pint of material is used per day for experimental purposes only; that Item 2 of the order refers to materials stored, containing wax; that it is necessary to store this material inside the building, as the storage of same in a cold area outside the building would cause the wax to drop out of solution.

Resolved, that the order of the fire commissioner, No. 78742-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Item No. 2, *on condition* that the sprinkler system and standpipe system shall be maintained to the satisfaction of the fire commissioner and that the handling and packing of this inflammable mixture shall be carried on to the satisfaction of the fire commissioner; that as to Item No. 3, the open flame shall be limited to the gas flame in the Gehnrich oven, which shall be ventilated through the roof by means of an approved flue; that in all other respects the occupancy of the building shall meet the requirements of all laws, rules and regulations applicable thereto.

699-39-A.

APPLICANT—George P. Ames, for Queens Beauty Institute, Inc., lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—40-22 Main street, northwest corner of 40th road (Block No. 5036, Lot No. 42), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George P. Ames and Esther Spielberg.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(699-39-A)

WHEREAS, George P. Ames for Queens Beauty Institute, Inc., lessee, filed May 26, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises: 40-22 Main street, northwest corner of 40th road (Block No. 5036, Lot No. 42), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings re B.N. Application No. 53-39, dated May 15, 1939, reads:

"The use of a frame structure as a school is contrary to provisions of section 3-1-1 of Building Code."

and
WHEREAS, the building is two and three stories (35 ft.) in height, of frame and nonfireproof construction; erected prior to 1916; located in a business use district and occupied: 1st floor, stores; 2nd floor, offices, beauty parlor and beauty school, 20 persons; 3rd floor, dwelling, one family; and

WHEREAS, applicant contends that a request was made for a certificate of occupancy for the use in question, which has legally existed since 1934; that no alterations are contemplated; that under a State law enacted last year, beauty

schools are placed under the supervision of the State Educational Dept.; that before said department will issue a license, the operator must have a certificate of occupancy; that a modification is therefore requested, so as to permit the issuance of a certificate of occupancy for the 2nd story of the building as office, beauty parlor and beauty school.

Resolved, that the decision of the borough superintendent, on B.N. Application No. 53-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the continuance of the existing beauty school and beauty parlor, *on condition* that the spaces occupied shall be limited to the easterly portion of the 2nd floor only and that the existing stairway and existing fire-escape available for exit from these spaces shall be maintained; that the occupancy of the school and beauty parlor portion shall at no time exceed twenty (20) persons; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

723-39-A.

APPLICANT—Jacob Fisher, for 225 West 13th Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—225 West 13th street, north side, 304 ft. 6 in. east of Greenwich avenue (Block No. 618, Lot No. 52), Borough of Manhattan.

APPEARANCES—

For Applicant—Jacob Fisher.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(723-39-A)

WHEREAS, Jacob Fisher, for 225 West 13th Street Corporation, owner, filed May 31, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 225 West 13th street, north side, 304 ft. 6 in. east of Greenwich avenue (Block No. 618, Lot No. 52), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, re Alt. Applic. No. 1486-39, dated May 18, 1939, reads:

"2. Extend stairs to roof with bulkhead."

and

WHEREAS, the building is three stories (38 ft.) in height, 25 ft. by 95 ft. in area, erected in 1910 in an unrestricted use district; of Class 3 construction; occupied: Cellar, storage and boiler room, 2 persons; 1st floor, store and 2-car garage, 4 persons; 2nd floor, storage, 2 persons; 3rd floor, same; proposed to be occupied: Cellar—same: 1st floor, same; 2nd and 3rd floors, storage and one family—4 persons per floor (Duplex apartment for one family at front of 2nd and 3rd floors); and

WHEREAS, the applicant contends that the building is used for sale and storage of women's supplies and 2-car garage; that the entire building is occupied by one tenant; that it is proposed to provide a living apartment for one family at the front of 2nd and 3rd floors to be occupied by the same tenant as the balance of the building; that the present stairs lead from rear of store to 3rd floor with scuttle and ladder to roof; that it is proposed to remove these stairs and provide new iron stairs from 1st to 3rd floors with scuttle and ladder to roof within the public hall on top story; that the new stairs will be enclosed in fireproof partitions with self-closing fireproof doors at openings.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 1486-39, objection No. 2, be and it

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hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the stairway shall be constructed, as proposed, and a scuttle in the roof within the stair enclosure shall be provided with a double-rung ladder leading thereto and that the scuttle shall be provided with an easy opening device; that this modification shall continue only so long as the building is not increased in height or area and the occupancy shall be substantially as stated and the access to the adjoining roof from the roof of this building is maintained.

738-39-A.

APPLICANT—Frank Tanham and Company, for Lidgerwood Manufacturing Company, lessee (Company Officers, Inc., owner).

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—96 Liberty street, southeast corner of Trinity place (Block No. 50, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank Tanham.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(738-39-A)

WHEREAS, Frank Tanham and Company, for Lidgerwood Manufacturing Company, lessee (Company Officers, Inc., owner), filed on June 1, 1939, an appeal from an order of the fire commissioner, affecting premises 96 Liberty street, southeast corner Trinity place (Block No. 50, Lot No. 17), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 17017-LC, issued May 3, 1939, reads:

"3. Install an approved automatic sprinkler system on the 4th story.

5. Protect walls for film room with one-half inch plaster boards. Sec. C19-113.0.A."

and

WHEREAS, the building is 5 stories (64 ft.) in height, 52 ft. 8 in. by 76 ft. 2 in. in area, of Class 3 construction; located in an unrestricted use district; erected about 1890; occupied: Cellar — Supt's. office, one person; 1st floor, stores, 12 persons; 2nd floor, offices, 4 persons; 3rd floor, same, 8 persons; 4th floor, offices and film laboratories, 7 persons; 5th floor, offices, 5 persons; and

WHEREAS, the applicant who occupies the 4th floor contends that his is a seasonal business; that the laboratory is very small and takes care of work from the applicant's store at No. 3 Church street; that there is no developing of 35 mm. inflammable films on the premises; that the developing room is 7 ft. by 7 ft. in area and has a metal ceiling and plaster board walls.

Resolved, that the order of the fire commissioner, No. 17017-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the space, approximately 4 ft. square, within the area occupied by this tenant on the 4th floor, shall be enclosed in approved plaster board and that the room occupied by this tenant shall be protected by a sprinkler system, which may be connected from the domestic water supply of the building, provided there is at least 15 lbs. pressure at that level and waiving the requirement for street siamese and automatic alarm.

740-39-A.

APPLICANT—Walgreen Company, N. Y., Inc., lessee (Jaurale Corporation, owner).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—2081-2089 Broadway and 201 West 72nd street, northwest corner (Block No. 1164, Lot No. 26), Borough of Manhattan.

APPEARANCES—

For Applicant: John Maldt and E. Zuckerman.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(740-39-A)

WHEREAS, Walgreen Company of N. Y., Inc., lessee (Jaurale Corporation, owner), filed May 31, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 2081-2089 Broadway and 201 West 72nd street, northwest corner (Block No. 1164, Lot No. 26), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 15907-LC, dated May 11, 1939, reads:

"5. Remove or cut off the refrigerating system from the building or parts of the building, by unpierced fireproof construction, as per the Administrative Code. Note: Applies to refrigerating machine located in basement of theatre building, containing ammonia."

and

WHEREAS, the building is fireproof, 2 stories (34 ft.) in height; 180 ft. by 106 ft. in area and located in a business use district, erected in 1938-39 and occupied: 1st floor— theatre and stores; 2nd floor—offices; for which certificate of occupancy No. 23935-38 was issued on September 9, 1938; and

WHEREAS, the applicant contends that compliance with Item 5 of the order, would require sealing the door between the store space and the building corridor or eliminating the ammonia refrigerating units; that to seal the door would be a violation of the Building Code; that to remove the units would be a hardship, since it will require the replacement of refrigerating machines and 3 soda fountains, which are not adaptable for any other refrigerant; that there is no danger of ammonia fumes passing through the three self-closing doors, as shown on the plans filed with this appeal; that the refrigerating units are small, containing not more than 12 lbs. of refrigerant each.

Resolved, that the order of the Fire Commissioner, No. 15907-LC, Item 5, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the refrigerating units now installed in this portion of the building shall not exceed three in number, no unit containing more than 12 pounds of refrigerant; that such units shall be maintained within an enclosed room, as indicated on plans filed herein; that all doors thereto shall be self-closing and tight-fitting; that the doors from the general cellar space occupied by this applicant and leading to the general hallway and to exits, shall be fireproof, self-closing doors and reasonably tight-fitting and normally kept closed at all times; that in all other respects the requirements of all laws, rules and regulations shall be complied with.

752-39-A.

APPLICANT—Triangle Steel Products Corporation, lessee, for Max Dorf, owner.

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—245 Russell street, northeast corner of Meserole street (Block No. 2628, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

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For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS FOR LACK OF PROSECUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(752-39-A)

WHEREAS, the Triangle Steel Products Corporation, lessee, for Max Dorf, owner, filed June 7, 1939, with the Board of Standards and Appeals, an appeal from order No. 79779-LC of the fire commissioner, affecting premises 245 Russell street, northeast corner of Meserole street (Block No. 2628, Lot No. 6), Borough of Brooklyn; and

WHEREAS, when this case was called for hearing, no representative appeared for the applicant, though duly notified to do so.

Resolved, that the appeal, be and it hereby is dismissed for lack of prosecution.

771-39-A.

APPLICANT—Albert B. Hager, for Atlantic Gulf and Pacific Co., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—Section east of McMullen avenue and south of Strickland avenue (Block No. 8470, part of Lot No. 430), Borough of Brooklyn.

APPEARANCES—

For Applicant: Albert B. Hager.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(771-39-A)

WHEREAS, Albert B. Hager, for the Atlantic Gulf and Pacific Co., owner, filed on June 9, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises Section east of McMullen avenue and south of Strickland avenue (Block No. 8470, part of Lot No. 430), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, re N.B. Application No. 1336-1345-39, dated June 1, 1939, reads:

"1. Proposed frame dwellings in the fire limits is contrary to Section 4.1.2, Sec. C26-247.0 of the Bldg. Code."

and

WHEREAS, the premises consist of a plot 130 acres in area, upon which have been erected a group of one-story frame dwellings of the summer bungalow type and upon which it is proposed to erect 10 additional one-story one-family frame dwellings of the summer bungalow type, five of which will be 24 ft. by 34 ft. in area and five will be 22 ft. by 30 ft. in area; and

WHEREAS, the applicant contends that the proposed buildings will serve as a means to offset the taxes on the property; that these buildings will be sold at actual cost under contract, providing for a proportionate refund if the lots on which they are erected are sold by the owner within a 10-year period; that there is a fire station located within 5 minutes of the site and siphons have been provided to draw an adequate supply of water from East Mill Basin

for Fire Dept. use and that the dwellings, as proposed present no fire hazard.

Resolved, that the decision of the acting borough superintendent, on N.B. Application No. 1336-1345-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the buildings shall be placed on lots and spaced, as indicated on plans filed with this appeal and shall not substantially exceed the size and dimensions specified; that in all other respects the buildings shall comply with all requirements for frame buildings erected outside of the fire limits.

784-39-A.

APPLICANT—Anna Appello, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1732 Hancock street, south side, 100 ft. west of Seneca avenue (Block No. 3561, Lot No. 22), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Walter J. Hess, Sidney Greenberg and Charles Conrad.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(784-39-A)

WHEREAS, Anna Appello, owner, filed on June 13, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 1732 Hancock street, south side, 100 ft west of Seneca avenue (Block No. 3561, Lot No. 22), Ridgewood, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, re N.B. Applic. No. 3938-39, dated May 24, 1939, reads:

"The erection of a public bldg. exceeding 5000 sq. ft. in area of nonfireproof const. is contrary to Section 4.2.1 of the Bldg. Code. Not further examined."

and

WHEREAS, the proposed building will be one story (12 ft.) in height, 91 ft. by 100 ft. in area; of Class 3 construction; located in a business use district; occupied as a bowling alley and bar room, 175 persons; and

WHEREAS, the applicant contends that the purpose of erecting this building is to extend the existing business located in a separate building around the corner; that there will be no connection between the two buildings; that due to the fact a large percentage of the area will be taken up by bowling alleys, the occupancy will be light; that due to the nature of the construction of the bowling alleys themselves, the fire hazard is minimized; that the successful conduct of a bowling alley business in this instance will depend on the appellant's ability to erect the building as proposed.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 3938-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building throughout shall be protected by a sprinkler system of not less than one source, complying with the requirements of the Building Code therefor; that in all other respects the building shall comply with all laws, rules and regulations applicable to the construction and occupancy.

788-39-A.

APPLICANT—Children's Aid Society, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—Lafayette avenue, south side, between Alden avenue and Brighton avenue (Block No. 97, Lot No. 1); (Goodhue Recreation Center), West New Brighton, Borough of Richmond.

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APPEARANCES—

For Applicant: H. W. Odermann and Roy E. Gilson.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(788-39-A)

WHEREAS, Children's Aid Society, owner, filed June 14, 1939, an appeal from an order of the fire commissioner, affecting premises south side of Lafayette avenue, between Alden avenue and Brighton avenue (Block No. 97, Lot No. 1), West New Brighton, Borough of Richmond (Goodhue Recreation Center); and

WHEREAS, the order of the fire commissioner, No. 17246-LC, dated May 17, 1939, reads:

"1. The storage of liquefied chlorine on these premises without a permit is prohibited by Section C19-95.0-A, Article 17, Administrative Code."

and

WHEREAS, the premises consists of a plot 650 ft. by 680 ft., irregular in area, upon which has been erected a one-story building 11 ft. in height, 20 ft. by 47 ft. in area, located in a business use district, erected in 1936 and occupied as a filter and chlorination room in connection with the swimming pool on the premises; and

WHEREAS, the applicant contends that the chlorination plant was located 60 ft. from the nearest corner of the locker house, the only building that might be considered a place of public assembly; that the locker house and filter house are constructed of concrete walls with asbestos shingle roofs; that the only person allowed in the filter house is the attendant; that the pool has been operated since 1937 under permit; and

WHEREAS, plans were not filed with this appeal showing existing conditions; and

WHEREAS, the applicant stated to the Board that the new building plans under which this installation was made in 1936, show the present condition; and

WHEREAS, these plans were examined by the Board at the public hearing.

Resolved, that the order of the fire commissioner, No. 17246-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the storage of not over two (2) cylinders of liquid chlorine, each cylinder having a capacity of not over 106 lbs., and for use in connection with the swimming pool, *on condition* that not more than one (1) cylinder shall be in use at one time; that such cylinders shall be stored in a steel cabinet enclosed in a room at the end of the filter house, as indicated on plans filed with the borough superintendent of buildings under N.B. Applic. No. 290-34; that such room shall be completely enclosed and constructed of incombustible materials and enterable from the filter house by means of a door which shall be tight fitting; that any windows from this room to the outer air shall be kept closed and tight fitting; that the cylinders shall be kept in place in a vertical position by means of substantial steel straps; that the distribution system, employing a Wallace and Tiernan or similar chlorinating equipment approved by the fire commissioner shall be employed, such equipment to be maintained in the same room; that a sign shall be painted on the outside of the door stating that this room shall not be entered except by an authorized employee; that the employee in charge of this equipment shall hold a certificate of fitness issued by the fire commissioner; that there shall be installed in a break glass cabinet in a location acceptable to the fire department, two (2) gas masks as approved for use with chlorine by the United States Department of Mines; that during the period the pool is not in operation,

the chlorine shall be removed from the premises; that there shall be installed in the ceiling of the room, an open sprinkler head fed by a pipe not less than 1 inch in diameter from the domestic water supply, controlled by a valve on the exterior of the room, to be openable in the event of escape of chlorine; that this room shall not exceed an area of 50 sq. ft.; that there shall be a drain in the floor of this room, draining into the sewer.

793-39-A.

APPLICANT—Cadwalader, Wickersham and Taft, for Annie R. Hutton, May K. Hutton and Joseph Barron, owners (Hyman Hashkes, Sobel Bros., M. J. Saks Co. and Schwartz Shoe Co., lessees).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—115 West Broadway and 148-152 Duane street, southeast corner (Block No. 146, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant: G. William Shea.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(793-39-A)

WHEREAS, Cadwalader, Wickersham and Taft, for Annie R. Hutton, May K. Hutton and Joseph Barron, owners, (Hyman Hashkes, Sobel Bros., M. J. Saks Co. and Schwartz Shoe Co., lessees), filed June 14, 1939, an appeal from an order of the fire commissioner affecting premises: 115 West Broadway and 148-152 Duane street, southeast corner (Block No. 146, Lot No. 12), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 2467-LF, dated June 5, 1939, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Adm. Code.

Plans to be filed with and approved by the Department of Housing and Buildings before work on such system is commenced. C19-161.0 Adm. Code."

and

WHEREAS, the premises consist of a plot 75 ft. 6 in. on Duane street and 116 ft. 11 in. on West Broadway, upon which there has been erected a group of 5-story nonfireproof buildings, occupied throughout for the storage and sale of shoes and shoe merchandise; and

WHEREAS, the applicant contends that there is a sub-cellar under No. 148 Duane street and a cellar under the same building; that there is also a cellar under 150 Duane street and under 152 Duane street, which runs through to 115 West Broadway; that the basis of the order is the presence of combustible material in the cellar and the lack of ventilation; that the cellar is adequately ventilated throughout and equipped with automatic fire alarm, having a central office connection.

Resolved, that the order of the fire commissioner, No. 2467-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the existing perforated pipe system in the cellar of 148 Duane street shall be reconditioned to the satisfaction of the fire commissioner and maintained at all times with a single siamese on Duane street; that there shall be installed in the balance of the cellar, a non-automatic dry sprinkler system in accordance with the requirements of the Building Code therefor, except that all fittings shall be of malleable iron and that the fire department connection need be only a single hose inlet installed on the Duane street frontage, not less

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than 12 in. above the sidewalk; that all siamese connections shall be painted aluminum and signs attached stating the area covered and that the automatic fire alarm system with central office connection shall be maintained.

808-39-A.

APPLICANT—Newark Plaster Company, for Crestwood Construction Corporation, owner.

SUBJECT—Appeal from an order of the borough superintendent of buildings.

PREMISES AFFECTED—35-49 to 35-55 73rd street, east side, 100 ft. north of 36th avenue (Block No. 3200, Lot Nos. 35 and 55), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: M. G. Quayle.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(808-39-A)

WHEREAS, Newark Plaster Company, for Crestwood Construction Corporation, owner, filed June 16, 1939, an appeal from an order of the borough superintendent of buildings, affecting premises 35-49 to 35-55 73rd street, east side, 100 ft. north of 36th avenue (Block No. 3200, Lot Nos. 35 and 55), Jackson Heights, Borough of Queens; and

WHEREAS, the order of the borough superintendent, on Viol. No. 2537-39, dated June 14, 1939, reads:

"You will please take notice that there exists a violation of Section 2.1.2.5 of the Building Code and C-26-178.0 Admin. Code at the premises hereinafter described in that

Using lath not approved by the Board of Standards and Appeals on the 6th floor ceiling
Remedy:

Stop using this brand on insulating lath until approved by the Board of Standards and Appeals."

and
WHEREAS, the proposed building will be six stories in height, 290 ft. by 100 ft. in area; of Class 3 construction; located in a residence use district and occupied as a Class A multiple dwelling; and

WHEREAS, the applicant contends that the use of gypsum lath has been permitted in New York City since 1920 and is now permitted under Section 8.4.10.6 and Secs. 10.13.4 and 10.11 of the New Building Code; that applic. No. 798-39-SM is now pending for general approval of the lath in question; that permission is requested to use Kelley Cork Gypsum Plaster Board on this specific installation without the necessity of waiting for a general approval by the Board.

Resolved, that the order of the borough superintendent as to Violation No. 2537-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the use of the Gypsum plaster board as proposed, as a substitute for wood lath on the ceiling of the 6th floor of the building only; that such board shall be applied in accordance with the requirements of the Building Code C26-458.0 (8.4.10.2).

817-39-A.

APPLICANT—Boak and Paris, Inc., for Arlington C. Hall, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Northeast corner of Spuyten Duyvil Parkway and Fieldston road (Block No. 3415-B, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Hyman Paris and Arlington C. Hall.

For Administration: Maurice Harris, Department of Housing and Buildings.

ACTION OF BOARD—Appeal Denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(817-39-A)

WHEREAS, Boak and Paris, Inc., for Arlington C. Hall, owner, filed June 19, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: Northeast corner of Spuyten Duyvil Parkway and Fieldston road (Block No. 3415-B, Lot No. 1), Borough of the Bronx; and

WHEREAS, the decision of the borough superintendent of buildings re N.B. Application No. 242-1938, dated June 2, 1939, reads:

"1. Amendment of April 28, 1939 not acceptable. As New Building Application No. 242-38 was approved for a 3 story non-fireproof building, height and bulk of building cannot be increased. Note: Records of Department show proposed building now located in a 'G' area district. In a 'G' area district, no dwelling shall be erected or altered other than for occupancy by a single family. Article 4, Section 16-A of the Building Zone Resolution.

3. Clearly show that the 'curb level' for the purpose of regulating and determining the area of yards, courts and open spaces will be the mean level of the curb pursuant to Article 1, Sec. 1, subdiv. (d) Building Zone Resolution. Note—original approved plans and amendment of April 28, 1939 do not fully agree. Unoccupied area of lot for percentage purposes not considered at this time.

6. Original approved plans and applications including duplicate reference set should be made to agree in all respects with amendment of April 28, 1939. Further note: Clearly show that no portion of proposed building will be used for sub-curb apartments. Sec. 34-F Multiple Dwelling Law."

and

WHEREAS, the proposed building is 6 stories (58 ft. 10 in.) in height, 139 ft. 6 in. by 371 ft. in area, erected in a residence use "F" area district, of Class 3 Construction; Occupied Basement—8 apartments, storage and boiler room, laundry and recreation room; 1st to 6th floors, 19 apartments per floor; and

WHEREAS, the applicant contends that a permit was granted for the erection of a 3-story multiple dwelling on August 29, 1938, in the "F" district; that this building did not occupy 35 per cent. of the area of the lot; that upon the enactment of Chapter 681 of the Laws of 1938 new plans were filed for a 6-story building and approval of same was refused by the Borough Superintendent, as per the objections which are the subject of this appeal; that the building as proposed comes within the scope of an interpretation issued by the Board of Standards and Appeals January 4, 1939; and

WHEREAS, the Board deemed that this appeal did not come within the purview of the action of the Board of January 4, 1939.

Resolved, that the decision of the borough superintendent, on N.B. Application No. 242-38, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

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819-39-A.

APPLICANT—James H. Lytle, for Staten Island Edison Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—North side of Richmond terrace, 580 ft. west of Bard avenue, and opposite Davis avenue (Block No. 184, Lot No. 26), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: James H. Lytle and N. D. Holmes.
For Administration: A. B. Comins, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(819-39-A)

WHEREAS, James H. Lytle, for Staten Island Edison Corporation, owner, filed June 19, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: North Side of Richmond terrace, 580 ft. west of Bard avenue, opposite Davis avenue (Block No. 184, Lot No. 26), West New Brighton, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, re Applic. No. 41-39, dated June 13, 1939, reads:

"Application F.P. No. 41-39, filed on June 7, 1939, by James H. Lytle, Consulting Engineer for the Staten Island Edison Corp., owner, to erect two (2) fuel oil storage tanks at premises Richmond terrace opposite Davis avenue, New Brighton, Borough of Richmond, is hereby disapproved as it is contrary to the Oil Burner Rules of the Board of Standards and Appeals, Section 3, to erect two (2) fuel oil storage tanks above ground, each having a capacity of more than 100,000 gallons and located less than 85 ft. from adjoining property."

and

WHEREAS, the premises consist of a plot 580 ft. by 100 ft. in area located in an unrestricted use district, upon which it is proposed to erect two fuel oil tanks, 23 ft. 3¼ in. in diameter, 27 ft. 16 in. in height; and

WHEREAS, the applicant contends that the land adjoining on the north is the right of way of the railroad; that to the east of the proposed tanks is located a power-house of the applicants; that to the south of the proposed tanks is Richmond terrace and to the west is a vacant lot; that a modification is requested, so as to permit the construction of the tanks as shown on the plans filed with this appeal.

Resolved, that the decision of the borough superintendent, on Applic. No. 41-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the plot for this oil storage shall be of the dimensions indicated on revised plans, marked "Received July 21, 1939", and that not more than one (1) tank shall be installed, located approximately at the center of the plot, with a capacity of not more than 210,000 gallons; that in all other respects the installation shall meet the requirements of the Oil Burner Rules of the Board of Standards and Appeals, and that such foam system shall be installed and maintained as may be required by the fire commissioner; that the dike shall be constructed and located, as shown on revised plans and shall be of sufficient height to meet the requirements for capacity of the Oil Burner Rules; that this modification shall continue only so long as the oil storage is for use by the Staten Island Edison Corporation or its successors in the same business and limited to the storage of bunker "C" or No. 6 fuel oil.

847-39-A.

APPLICANT—Leonard E. Golditch, for Comet Aerial Advertising Company, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge 1000 ft. off shore, waters of Atlantic Ocean surrounding Rockaway and Far Rockaway, between Jacob Riis Park and Beach 32nd street, Borough of Queens.

APPEARANCES—

For Applicant: Leonard E. Golditch.
For Opposition: Harold Klorfein, Department of Parks.
For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(847-39-A)

WHEREAS, Leonard E. Golditch, for Comet Aerial Advertising Co., owner, filed June 23, 1939, an appeal from a decision of the fire commissioner, relating to the display of fire works from a boat 1,000 ft. off shore between Jacob Riis Park and Beach 32nd street, Rockaway and Far Rockaway, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, dated June 21, 1939; reads:

"With reference to your letter of June 15, 1939, relative to an advertising display in the Atlantic Ocean, 1000 feet from shore at Rockaway and Far Rockaway between the westerly line of Riis Park and Beach 32nd street, Queens, I have to advise as follows:

We have noticed the approval of the Board of Standards and Appeals for the display from West 10th street to West 37th street, Coney Island, but we find no permission granted for the display at Rockaway and Far Rockaway.

Of course, you understand that the permission granted for the display from West 10th street to West 37th street, Coney Island, does not give you permission to make a display at any other location and it will therefore be necessary for you to go before the Board to get permission to make the fireworks' display at the Rockaway and Far Rockaway locations."

and

WHEREAS, it is proposed to display advertising matter in the form of rockets from the deck of a boat cruising between the streets and at the location stated above; and

WHEREAS, the applicant contends that it is proposed to conduct an advertising display within the area described in this appeal and in the same manner as permitted by the Board under Cal. No. 535-39-A.

Resolved, that the decision of the fire commissioner, dated June 21, 1939, and as expressed in Order No. 80596-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed advertising display in the form of a rocket shall be discharged on a lighter located a distance of not less than 1,000 ft. from the shore line and limited to the spaces between Beach 35th street to Beach 60th street and Beach 105th street to Beach 125th street, Rockaway Beach; that the discharge shall be from a cylinder mortar properly anchored to the deck or buried in sand, as proposed; that the amount of black powder used for each discharge shall not exceed 5 oz.; that the discharge shall be directed away from the land; that the operation shall be in charge of a licensed pyrotechnist; that such fire-fighting appliances shall be maintained on deck as the fire commissioner shall direct; that the advertising device in the form of a parachute may be of Japanese paper, but which shall be flameproof in a manner

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satisfactory to the fire commissioner; that suitable markers shall be maintained either on shore or in the water to indicate the limits of these display areas; that not more than one boat shall be thus employed and shall traverse these respective areas on alternate days; that this use shall be limited to the season ending October 1, 1939; that no rockets shall be displayed during the time that any boats or tankers carrying gasoline or other combustible materials are within 2000 feet.

850-39-A.

APPLICANT—Michael Marks, lessee, for Jadlamm Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—142-148 West 21st street, south side, 200 ft. east of Seventh avenue (Block No. 796, Lot No. 63), Borough of Manhattan.

APPEARANCES—

For Applicant: Michael Marks and William J. H. Molinari.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(850-39-A)

WHEREAS, Michael Marks, for Jadlamm Realty Corporation, owner, filed June 23, 1939, an appeal from an order of the fire commissioner, affecting premises 142-148 West 21st street, south side, 200 ft. east of Seventh avenue (Block No. 796, Lot No. 63), Borough of Manhattan; and

WHEREAS, Order No. 2349-LF, issued by the fire commissioner September 16, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply arranged and equipped as per Article 16, Chapt. 26, Adm. Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner dated May 25, 1939; and

WHEREAS, the building is 2 stories and basement (26 ft.) in height, 89 ft. by 92 ft. in area; of nonfireproof construction; erected in 1924; located in an unrestricted use district and occupied throughout as a garage; and

WHEREAS, the applicant contends that a sprinkler system is not required, as there is a direct entrance from the street by means of a 10 ft. ramp direct to the basement; in addition to this there is a stairway from street to basement. In view of these facts no sprinkler system should be required.

Resolved, that the decision of the fire commissioner as to Order No. 2349-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that such fire-fighting appliances shall be maintained as the fire commissioner shall direct and that the existing entrance to the cellar and areaways and windows in the cellar wall shall be maintained; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

852-39-A.

APPLICANT—The Proctor and Gamble Manufacturing Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Southwest corner of Western avenue and Richmond terrace (Block No. 1400, Lot No. 1), Port Ivory, Borough of Richmond.

APPEARANCES—

For Applicant: Daniel Arvan and William Sartorius.

For Administration: A. B. Comins, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(852-39-A)

WHEREAS, The Proctor and Gamble Manufacturing Company, owner, filed June 24, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises: Southwest corner of Western avenue and Richmond terrace (Block No. 1400, Lot No. 1), Port Ivory, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, re Alteration No. 133-39, dated June 1, 1939, reads:

"Your application, Alteration No. 133-39, filed in this Department on May 19, 1939, to alter an existing steel frame and brick factory building, is hereby denied as the proposed extension, about 10,000 sq. ft. in area added to the existing floor area of about 28,000 sq. ft. exceeds the allowable area for Class 3 (non fireproof) construction as per table under Section C26-254.0 of the Building Code."

and

WHEREAS, the premises consist of a plot comprised of 37.96 acres, upon which there has been erected a series of buildings, one, three and five stories in height and upon which it is proposed to erect an additional extension to that permitted by the Board under Cal. No. 183-39-A, of Class 3, non-fireproof construction, as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that at the time of the Board's action on the previous extension, it was stated by the applicant there was a proposal to erect the extension now in question; that subsequent to the Board's action under Cal. No. 183-39-A, Alt. Applic. No. 133-39 was filed for the extension in question; the proposed extension to be used in connection with the manufacture of soap and soap products.

Resolved, that the decision of the borough superintendent, re Alteration No. 133-39, dated June 1, 1939, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall not be further extended in height or area and shall in all other respects meet the requirements of all laws, rules and regulations applicable thereto, including the requirements of the State Labor Law, and that the building shall be protected throughout with a two source sprinkler system, meeting the requirements of the Sprinkler Rules of the Board of Standards and Appeals, and that the standpipe system shall be maintained in accordance with the requirements.

866-39-A.

APPLICANT—City Line Tower, Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—Southwest corner of Spencer place and Spencer place and west side of Spencer place, from 19 ft. to 228 ft. south of Spencer place (Block No. 3423, Lot Nos. 64-73, inclusive) Borough of The Bronx.

APPEARANCES—

For Applicant: Lindsay Williamson.

ACTION OF BOARD—Appeal dismissed, not properly before the board.

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THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(866-39-A)

WHEREAS, City Line Tower, Inc., owner, filed on June 27, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises: Southwest corner of Spencer place and Spencer place and west side of Spencer place from 19 ft. to 228 ft. south of Spencer place (Block No. 3423, Lot Nos. 64 to 73 inclusive), Borough of the Bronx; and

WHEREAS, the decision of the borough superintendent on N.B. Application No. 319-1939, dated June 27, 1939, reads:

"1. Street not shown on Building Zone Map, zoning to be designated by Board of Standards and Appeals, under Sec. 21, Article 5 of Building Zone Resolution." and

WHEREAS, the premises consist of a plot fronting 256.01 ft. on Spencer place and a depth of 103.12 ft. upon which it is proposed to erect a group of two story and basement, one family dwellings; and

WHEREAS, the applicant requests the Board to clarify the zoning in order that the Building Department may proceed with the examination of plans; and

WHEREAS, the Board deemed that this application was not properly before it.

Resolved, that the appeal, be and it hereby is *dismissed*, as not properly before the Board.

870-39-A.

APPLICANT—Louise Krueger, lessee, for Nochpeem Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—25 East 78th street and 1010 Madison avenue, northwest corner (Block No. 1393, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Louise Krueger and Louis Becker.
For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(870-39-A)

WHEREAS, Louise Krueger, lessee, for Nochpeem Corporation, owner, filed June 27, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 25 East 78th street and 1010 Madison avenue, northwest corner (Block No. 1393, Lot No. 14), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 2120-39, dated June 26, 1939, reads:

"1. Building must be of Class 1, fireproof construction as the proposed occupancy would make it a public building. Sec. 4.2.1 B.C.

2. Means of egress inadequate. Same should conform to the requirements of 6.1.2.1, 6.4.1.8 and 6.4.1.11 B.C."

and

WHEREAS, the building is 5 stories (59 ft.) in height, 30 ft. by 100 ft. in area, located in a restricted retail use district, erected in 1898, of non-fireproof construction, and

occupied: Sub-cellar—storage and boiler room; basement—storage—2 persons; 1st floor—offices and showroom—7 persons; 2nd floor—offices and showroom—2 persons; 3rd floor—offices and showroom—2 persons; 4th floor—offices and dwelling—4 persons; 5th floor—offices and dwelling—4 persons; it is proposed to change the occupancy to: Sub-cellar—boiler room; basement—workshop and dining—10 persons; 1st floor—classroom and office—50 persons; 2nd floor—classroom and assembly—50 persons; 3rd floor—classrooms—50 persons; 4th floor—classrooms—40 persons; 5th floor offices and library—10 persons; and

WHEREAS, the applicant contends that while the Code restricts the use of this building for public purposes because of its height, a modification is requested, in view of the fact the classrooms will be restricted to the 1st to 4th floors inclusive; that there is one 4 ft. wide open stairway and a 2 ft. 7 in. steel fireproof enclosed stair leading from the sub-cellar to the roof; that the fireproof stair is accessible from the cellar through the areaway at the front of the building, which leads directly to the street; also, at the 1st floor at the front of the building by means of a stoop leading direct to street; that the building has an automatic elevator leading to all floors, fully enclosed.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 2120-39, Items 1 and 2, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be no classrooms for pupils above the 4th floor; that the building shall not be increased in height or area; that the ceilings throughout the cellar and sub-cellar shall be fire-retarded; that the room in which any heating boiler or boiler for domestic hot water purposes is installed, shall be separated from the balance of the building by fireproof walls and fireproof self-closing doors, unless New York steam service is maintained for such purposes; that the elevator and enclosure shall meet all the requirements of the present Building Code; that the present main stairway shall be removed and a new stairway from sub-cellar to and through the roof shall be constructed enclosed as required by the Building Code with an exit directly to Madison avenue through a hallway enclosed in fire-retarded partitions with any doors therein leading to any parts of the building on the 1st floor, fireproof and self-closing; that the existing fireproof service stair shall be maintained with exit to the roof and safe exit through the cellar to the areaway on 78th street, permitting direct exit to the street; that any doors to the stairway shall be fireproof and self-closing; that in addition there shall be an exterior fire-escape constructed either on 78th street or Madison avenue for the full height of the building, leading to the roof, with an intermediate railing around the well holes and stairwells; that the stairs of such fire-escape shall not exceed 60 degrees and that the clear width of the stairway shall not be less than 22 in.; that the occupancy of the building shall not exceed the legal permissible requirements for the exits; that in addition, a sprinkler system shall be installed in the kitchen area and in the work shops and store rooms in the cellar; that such sprinklers may be connected to the domestic water supply system of the building and there shall be installed on the 78th street side, a single siamese for fire department connection; that the iron guards on the windows at the basement or cellar level shall be removed along the areaway of 78th street; that steps shall be constructed on the roof to permit exit to the top of the parapet, for escape in case of fire to the building next adjoining on the north; that this modification shall continue only so long as the building is occupied as a private school as herein proposed; that fire drills shall be periodically maintained under the direction of the instructors in charge and a manual interior alarm system shall be installed with two stations on each floor to give alarm in case of fire; that during the occupancy of the building, the gate in the fence along 78th street shall be openable from the inside to permit exit; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

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879-39-A.

APPLICANT—Ferdinand Savignano, for J. Powsner and E. Ashel, owners (Salvatore Cefalu, lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—8513 18th avenue, east side, 76 ft. 3½ in. north of 86th street (Block No. 6344, Lot No. 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Lieberman.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(879-39-A)

WHEREAS, Ferdinand Savignano, for J. Powsner and E. Ashel, owners (Salvatore Cefalu, lessee), filed July 13, 1939, an appeal from a decision of the acting borough superintendent of buildings affecting premises 8513 18th avenue, eastside, 76 ft. 3½ in. north of 86th street (Block No. 6344, Lot No. 3), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent of buildings, re Application No. 12628-1938, dated June 29, 1939, reads:

"1. Header and trimmer beams weak for proposed live load."

and

WHEREAS, the building is two stories (22 ft. 6 in.) in height, 19 ft. by 54 ft. in area, located in a business use district of Class 3, non-fireproof construction, erected in 1921, and occupied: Cellar—boiler room and storage; first floor—store; second floor—beauty parlor and one family; and

WHEREAS, the applicant contends that the present live load is 40 lbs., it is proposed to use one room of the second floor apartment for a Beauty Parlor; that not more than five persons will be accommodated at any one time, inasmuch as the Beauty Parlor will be operated by the tenant of the apartment; that it would be a hardship for the lessee to reinforce the header and trimmer beams.

Resolved, that the decision of the acting borough superintendent, on Applic. No. 12628-38, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that only one room on the 2nd story shall be used for the business use as a beauty parlor, as proposed and that the equipment therefor shall not exceed the safe floor loading, as permitted, of 40 lbs. per superficial foot.

881-39-A.

APPLICANT—N. Pintchik, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—478 Bergen street, south side, 70 ft. 10 in. west of Flatbush avenue (Block No. 933, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sam Samuels.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(881-39-A)

WHEREAS, N. Pintchik, Inc., owner, filed June 30, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 478 Bergen street, south side, 70 ft. 10 in. west of Flatbush avenue (Block No. 933, Lot No. 30), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 77284-LC, reads:

"1. Discontinue the storage of more than 20 gallons of volatile inflammable oils, C-19-85.0, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated May 31, 1939; and

WHEREAS, the building is 4 stories in height, 20 ft. by 52 ft. 6 in. in area, of non-fireproof construction, located in a business use district, erected approximately 1890 and occupied: Cellar—storage of mortar and cement; 1st floor—store—paints—office; 2nd floor—display room of wallpaper; 3rd floor dwelling; 4th floor—dwelling; and

WHEREAS, the applicant contends that the building in question was altered by the applicant by extending the first and basement stories; that all new steel carrying masonry over 40 ft. span was fire-proofed with 2 inches of concrete on metal lath; that legal fire escapes will be provided at the rear of the building; that the entire cellar ceiling throughout will be fire retarded, and stamped metal ceiling will be provided throughout the first floor; that 50 gallons of benzine will be stored on the premises in a 50 gallon Bowser tank located in the extreme rear of the basement extension, and pumped to the first floor for sale; that at present, permits are issued for the storage of 20 gallons of benzine; the smallest quantity that can be purchased is 50 gallons; that the storage of benzine is necessary as an adjunct to the business conducted on the premises.

Resolved, that the order of the fire commissioner, No. 77284-LC, be and it hereby is affirmed, and that the appeal be and it hereby is denied.

883-39-A.

APPLICANT—Atlas Storage Company, Inc., lessee, for Nyack County Trust Co., owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—155 Columbus avenue, southeast corner of West 67th street (Block No. 1119, Lot No. 19), Borough of Manhattan.

APPEARANCES—

For Applicant: Leo Blum and B. Stadhultz.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(883-39-A)

WHEREAS, Atlas Storage Company, Inc., lessee, for Nyack County Trust Company, owner, filed June 30, 1939, an appeal from a decision of the fire commissioner, affecting premises 155 Columbus avenue, southeast corner of West 67th street (Block No. 1119, Lot No. 19), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated May 25, 1939, reads:

"Replying to your favor of May 9, 1939, it is regretted that this department cannot grant your request and permit the storage of Hydro-Cyanic Acid Gas in form of discoids in quantities aggregating from five pounds to twenty-five pounds net weight, at 155 Columbus avenue, Borough of Manhattan, as this would be

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a violation of Section C-19-11 of the Administrative Code.

Your request is, therefore denied."

and

WHEREAS, the building is 9 stories (100 ft.) in height, 50 ft. by 100 ft. in area, of fireproof construction, located in a business use district, erected in 1898 and occupied: 1st floor to 8th floor inclusive—household goods storage; and

WHEREAS, the applicant contends that a fumigation vault is maintained on the ninth floor with the approval of the Health Department; that the use of the gas in question is necessary for the use of this room; and the room is especially designed for the use of the gas in the form of discoids; that the quantity of gas used is too small to constitute a hazard, in view of the location; that the applicant is willing to provide a storage space for the gas, which will afford the maximum safety at all times.

Resolved, that the decision of the fire commissioner, dated May 25, 1939, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit not more than 50 lbs. of Hydro-Cyanic Acid Gas in the form of discoids on the premises, for use for fumigating purposes, *on condition* that this material shall be stored only on the roof of the building in a fireproof or metal compartment, ventilated to the outer air, to the satisfaction of the fire commissioner; that there shall be a sign on such compartment or cabinet, reading "Danger—Hydro-Cyanic Acid Gas"; that such wording shall be in red letters on a white background, letters to be not less than 3 inches high; that as needed, no more shall be taken into the building than is required for such immediate use; that the storage and use of this material shall be maintained to the satisfaction of the fire commissioner at all times and shall also comply with the requirements of the Department of Health.

888-39-A.

APPLICANT—Ferdinand Savignano, for Benedict J. Gaiti, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—9 Bay 32nd street, east side, 80 ft. south of 86th street (Block No. 6383, Lot No. 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Lieberman.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(888-39-A)

WHEREAS, Ferdinand Savignano, for Benedict J. Gaiti, owner, filed July 3, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 9 Bay 32nd street, east side, 80 ft. south of 86th street (Block No. 6383, Lot No. 35), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, re Alt. Applic. No. 2555-39, dated June 28, 1939, reads:

"Change of occupancy of frame building from one to two families with living rooms on more than two stories is contrary to Sec. 2.1.3.5 and Sec. 8.7.2.1 of the Bldg. Code. Application disapproved."

and

WHEREAS, the building is two stories and attic 31 ft. in height, of Class 4 construction; erected in 1897; located in a business use district; OCCUPIED as a one-family dwelling throughout; proposed to be occupied: cellar—boiler room

and storage; 1st floor, one family; 2nd floor and attic combined—one family; and

WHEREAS, the applicant contends that the room in the attic has been occupied since the building was erected; that the only new work in the attic consists of erection of partitions creating a new chamber and bath; that the attic rooms will be used in conjunction with the 2nd floor apartment; that there will be no cooking done in the attic; that a second means of exit will be provided by means of a fire escape and drop ladder; that inasmuch as it is difficult for the owner to meet the expenses on the building, a modification is respectfully requested.

Resolved, that the decision of the acting borough superintendent re Alt. Applic. No. 2555-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the building to be occupied by not more than two families, one occupying the first floor and one occupying the 2nd floor and attic, *on condition* that the owner shall file with the acting borough superintendent, an agreement that at no time shall the building be occupied by more than two families; that the building shall not be increased in height and area; that the plot on which the building is located shall not be decreased; that no cooking shall be carried on in the attic; that a second means of exit shall be provided which may consist of an exterior fire escape or ladder reaching to a platform or balcony at second story level, thence by means of a counterbalanced ladder to grade; that in all other respects the building shall comply with the requirements for a frame building erected outside the fire limits.

889-39-A.

APPLICANT—Samuel Rosenblum, for The Walden School, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1-9 West 88th street and 281-283 Central Park West, northwest corner (Block No. 1202, Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(889-39-A)

WHEREAS, Samuel Rosenblum, for The Walden School, owner, filed July 3, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 1-9 West 88th street and 281-283 Central Park West, northwest corner (Block No. 1202, Lot No. 29), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 2388-LF, dated September 19, 1938, reads:

"1. Install an approved standpipe system in accordance with Article 17, Chapter 26, Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated June 20, 1939; and

WHEREAS, the building is 4 stories and penthouse (91 ft. 6 in.) in height to roof of penthouse, of fireproof construction; located in a residence use district; erected in 1902 and occupied throughout as a private school; and

WHEREAS, the applicant contends that the building is equipped with three means of egress, two fireproof enclosed stairs and one outside iron stairway leading directly to the yard with access to street; that the order is based on the height of the building; that the height of the main roof is only 80 ft. 6 in.; that the area of the building does

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not require the installation of a standpipe; that the order is brought about by reason of the fact that the penthouse is of sufficient area to be deemed a story and that the floors are of unusual height, so that the building, although only four stories in height, actually exceeds the height permitted.

Resolved, that order No. 2388-LF, issued by the fire commissioner, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that in all other respects the building shall comply with all laws, rules and regulations applicable thereto.

890-39-A.

APPLICANT—Adolph Mertin, for Volunteers of America, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—511 Joline avenue (Childrens' Home), Tottenville, Borough of Richmond.

APPEARANCES—

For Applicant: Edward Atkins.

For Administration: A. B. Comins, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(890-39-A)

WHEREAS, Adolph Mertin, for Volunteers of America, Inc., owner, filed July 3, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 511 Joline avenue (Childrens' Home), Tottenville, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, dated June 26, 1939, reads:

"Arrange for test of thermostatic fire alarm system in presence of representative of this department.

Discontinue use of top floor for sleeping purposes." and

WHEREAS, the building is 2½ stories (30 ft.) in height, 31 ft. by 41 ft. in area, of frame construction, located in a residence use district, erected in 1922 and occupied: 1st floor—dining room and rest room—15 persons; 2nd floor—sleeping and bathrooms—5 persons; 3rd floor—sleeping and bathrooms—10 persons; and

WHEREAS, the applicant contends that the building is equipped with a sprinkler system; that additional exits were provided at the request of the fire department; that a modification is requested, so as to permit the occupancy of the building for children during the summer.

Resolved, that the decision of the borough superintendent be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the occupancy of the third floor for sleeping purposes, *on condition* that the building shall be occupied as proposed, solely as a charitable institution during the summer months, except for the caretaker; that the number of persons occupying the third story shall at no time exceed ten (10); that the sprinkler system throughout the building shall be maintained in good working order, satisfactory to the fire commissioner; that in all other respects the building shall comply with all laws, rules and regulations applicable to its construction and occupancy for a building outside the fire limits and that the thermostatic fire alarm system shall be tested and maintained in good working condition.

891-39-A.

APPLICANT—Kelvinator Division of Nash Kelvinator Corporation, for John H. Borger, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—137 Reade street, south side, 123 ft. west of Hudson street (Block No. 140, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: David D. Levinson, John Borger and George Sutphin.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(891-39-A)

WHEREAS, Kelvinator Division, Nash Kelvinator Corporation, for John H. Borger, owner, filed July 3, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 137 Reade street, south side, 123 ft. west of Hudson street (Block No. 140, Lot No. 28), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 15654-LC, dated January 23, 1939, reads:

"1. Discontinue the practice of webbing the direct expansion piping of refrigerating plant from the 3rd to 4th floors.

2. Cut off all elevator shafts leading into refrigerating machinery room."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated June 14, 1939; and

WHEREAS, the building is 5 stories (60 ft.) in height, 25 ft. by 60 ft. in area, of non-fireproof construction, located in an unrestricted use district, erected in 1884 and occupied: Cellar—ice box—2 persons; 1st floor—office and shipping department (butter and eggs)—5 persons; 2nd floor—office—9 persons; 3rd floor—egg department (candle, pack, etc.)—9 persons; 4th floor—butter print and packing room—3 persons; 5th floor—supplies (cartons, crates, etc.)—0 persons; and

WHEREAS, the applicant contends that the 4th floor is used for making and packing of butter and the condensing unit cannot be placed on this floor under the Health Department requirements; that the condensing unit is enclosed and is adequately ventilated.

Resolved, that the order of the fire commissioner, No. 15654-LC, as to Item No. 1, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that in all other respects the refrigerating equipment shall comply with the requirements therefor and shall be maintained to the satisfaction of the fire commissioner and that this installation shall comply with all laws, rules and regulations applicable thereto as to construction and occupancy of the building; that the enclosure around the refrigerating plant on both the 3rd and 4th floors shall be continued at all times and all access doors thereto made tight-fitting; that the amount of refrigerant shall at no time exceed 20 pounds of Freon.

895-39-A.

APPLICANT—Levy and Berger, for Goldie Scheer, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1125 Ditmas avenue and 520-530 Westminster road, northwest corner (Block No. 5175, Lot No. 40), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Levy, Jr.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

MINUTES

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(895-39-A)

WHEREAS, Levy & Berger, for Goldie Scheer, owner, filed July 5, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 1125 Ditmas avenue and 520-530 Westminster road, northwest corner (Block No. 5175, Lot No. 40), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 2753-39, dated June 30, 1939, reads:

"Proposed change of building from one family to two families with living rooms on more than two stories is contrary to Sec. 2.1.3.5 and Sec. 8.7.2.1 of Building Code."

and

WHEREAS, the building is 2 stories and attic (33 ft.) in height, 22 ft. 2 in. by 34 ft. 4 in. in area, of frame and brick construction, located in a residence use district, erected in 1904, and occupied as a dwelling; and

WHEREAS, the applicant contends that the building will not be increased in height or area; that the attic will be occupied in conjunction with the 2nd story for 1 family; that a fire-escape will be provided with balconies at the 2nd and attic floors, connected by a 60 degree stairs and drop ladder in guides from the lowest balcony to the ground.

Resolved, that the decision of the acting borough superintendent on Alt. Applic. No. 2753-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* permitting the building to be occupied for not over two families, *on condition* that an agreement shall be signed by the owner and filed with the acting borough superintendent, that the building shall not be occupied by more than two families at any time, one family occupying the 1st floor and the other family occupying the second floor and attic; that no cooking shall be carried on in the attic; that a second means of exit shall be constructed as an exit from the attic story, which may be an exterior fire escape or ladder to an extension or balcony at the 2nd floor level and thence by means of a drop or counterbalanced ladder to grade; that the building shall not be increased in height or area; that the plot shall not be reduced in area; that in all other respects the building shall comply with all the requirements of the Building Code.

896-39-A.

APPLICANT—Jack Z. Cohen, for Cecile Vogel, Estelle Vogel and Levi Morrow, owners.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—163 Remsen street, north side, 237 ft. east of Clinton street (Block No. 250, Lot No. 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer and Levi Morrow.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(896-39-A)

WHEREAS, Jack Z. Cohen, for Cecile Vogel, Estelle Vogel and Levi Morrow, owners, filed July 5, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 163 Remsen street, north side, 237 ft. east of Clinton street (Block No. 250, Lot No. 13), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 1547-39, dated June 30, 1939, reads:

"1. The present C. of O. Ex. Bldg. No. 2533, reads as follows:

1st floor—store.

2nd floor—office and employment agency.

3rd floor—vacant.

4th floor and 5th floor—Supt. apartment.

Refer question of inadequate exits to Supt. under 6.1.5 B. Code. Under the old code and new code the stairs and enclosure for a 5 story bldg. would have to be fireproof. Refer to section 6.4.1.8.1 and 6.4.1.7.1."

and

WHEREAS, the building is 5 stories (51 ft.) in height, 22 ft. by 95 ft. in area at street level, of Class 3 construction, located in a business use district, erected approximately in 1900 and occupied: Cellar—storage and boiler room—0 persons; 1st floor—insurance office—12 persons; 2nd floor—real estate office—12 persons; 3rd floor—vacant, to be used as offices—7 persons; 4th floor—superintendent's family; 5th floor—apartment (1 family); and

WHEREAS, the applicant contends that since the issuance of the certificate of occupancy in 1932, the only change is that portion of the 3rd floor which is occupied as an architect's office; that the 4th floor will be rearranged for one family, in lieu of the 2 family arrangement now existing; that in lieu of compliance with the order, the owner proposes to protect the existing stairway and halls with a sprinkler system; that the business on the premises is non-hazardous.

Resolved, that the decision of the acting borough superintendent on Alt. Applic. No. 1547-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be further increased in height or area; that the primary means of exit, where enclosed in stud and plaster partitions, shall be further protected by means of a sprinkler system similar to the system required in a converted multiple dwelling; that the building shall at no time be occupied by more than two families, one on the 4th floor and one on the 5th floor, in addition to the proposed office occupancy of the 1st, 2nd and 3rd floors; that the rear fire escape as existing, shall be continued with an extension to the yard at the first story level, from which access through the building and to the street may be obtained through the rear windows; that a scuttle shall be maintained in the roof within the stairhall enclosure with double-rung steel ladder for access thereto, and with an easy opening scuttle device; that a ladder from the roof shall be installed against the parapet to permit access in case of fire to the adjoining roof; that in all other respects the building and its occupancy shall comply with all laws, rules and regulations applicable thereto.

899-39-A.

APPLICANT—Federal Homes Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—41-24 and 41-26 43rd street, west side, 216 ft. south of Skillman avenue (Block No. 159, Lot No. 28), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Benjamin Lorbor.

For Administration: Aaron Halpern, Department of Housing and Buildings.

MINUTES

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(899-39-A)

WHEREAS, Federal Homes Incorporated, owner, filed July 6, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 41-24 and 41-26 43rd street, west side, 216 ft. south of Skillman avenue (Block No. 159, Lot No. 28), Long Island City, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, re N.B. Applic. No. 4159-39 and N.B. Applic. No. 4640-39, dated June 19, 1939, read:

"1. A minimum width of 4 ft. is required for side yard."

and

WHEREAS, the premises consists of a plot 48 ft. 6 in. by 71 ft. 4 in. in area, upon which it is proposed to erect two 2 story non-fireproof dwellings, 20 ft. and 22 ft. 6 in. respectively in frontage and 49 ft. and 45 ft. respectively in depth, with a distance of 6 ft. between buildings, as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that the two side yards, each 3 ft. in width, adjoining, and are covered by a perpetual easement for light and ventilation; that the proposed condition is an improvement over the requirement in the Code for 4 ft. yard; that on plan No. 4159, the objection relates only to a bathroom window; that legal ventilation could be provided for this bathroom under section 5.1.5, by a 2 ft. by 2 ft. skylight, or a 12 in. by 12 in. duct or a shaft 3 ft. by 3 ft. in area; that as to plan No. 4640, the permanent easement over 6 ft. strip of yard creates a better condition than would be acceptable as a minimum under the Code.

Resolved, that the decisions of the Borough Superintendent, re N.B. Applic. No. 4159-39, and N.B. Applic. No. 4640-39, be and they hereby are *modified*, and that the appeal be and it hereby is *granted on condition* that the total space between the two proposed buildings shall not be less than six feet; that the walls for their full height to eaves shall be constructed of masonry; that all windows opening on the side yards shall have metal frames and sash and shall be glazed with polished wire plate glass; that this combined side yard for the full depth of the lot and for the width of six feet, shall remain open and unbuilt upon for the joint benefit of the owners of the residence building.

900-39-A.

APPLICANT—F. R. deMontmorency, for H. G. Vogel Co., for Fanbar Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—74-12 88th street, west side, 208.59 ft. north of Montauk Division of the L. I. R. R. (Block No. 3838, Lot No. 54 and Block No. 3839, Lot No. 67), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: F. R. deMontmorency.

For Administration: A. Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(900-39-A)

WHEREAS, F. R. deMontmorency for H. G. Vogel Co., for Fanbar Holding Corporation, owner, filed July 6, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 74-12 88th street, west side, 208.59 ft. north of Montauk Division of L.I.R.R. (Block No. 3838, Lot No. 54 and Block No. 3839, Lot No. 67), Glendale, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 3285-39, dated June 20, 1939, reads:

"6. An adequate approved automatic source of supply shall be provided as enumerated under C26-1341.0 of the Administrative Code."

and

WHEREAS, the proposed building will be one story (18 ft.) in height, 134 ft. by 216 ft. in area, of Class 3 construction, located in an unrestricted use district, and occupied as a warehouse and office; and

WHEREAS, the applicant contends that a permit for the building was granted under Applic. No. 1238-39 and said building was allowed to be erected in the bed of a mapped street under Cal. No. 296-39-A; that the building permit was granted, based on the proposed installation of the approved sprinkler system, so the building would be within the area limitations of section 4.2.1; that plans were filed for the sprinkler system and denied on the grounds that an 8 in. supply is required; that the City main in front of the premises is only 6 inch, but has ample pressure to supply the system; that they will have 305 heads in one area, or 85 more than permitted on a 6 in. connection; that the bottom flange of the steel girders is 24 in. from the underside of the roof and will act as fire curtains to confine any possible blaze; that the building will be occupied as a sheet steel warehouse; that the proposed sprinkler system has been approved by the National Board of Fire Underwriters.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 3285-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Objection No. 6, *on condition* that the street service shall be not less than 6 inches; that in all other respects the sprinkler system shall comply with the requirements of the Building Code therefor.

902-39-A.

APPLICANT—Lama and Proskauer, for Marguerite Behman, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—7 and 8 Court square, east side, 109 ft. 10 in. north of Livingston street (Block No. 153, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Samuel Mossberg.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(902-39-A)

WHEREAS, Lama and Proskauer, for Marguerite Behman, owner, filed July 6, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting 7 and 8 Court Square, east side, 109 ft. 10 in. north of Livingston street (Block No. 153, Lot No. 6), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superin-

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tendent, on Alt. Applic. No. 605-39, dated June 14, 1939, reads:

"4. Carrying capacity of floors to be increased to 100 lbs. per sq. ft. on 1st and 75 lbs. per sq. ft. on upper floors, sec. 7.3.2.3.

5. Exits to comply with Art. 6 of Code in accordance with Sec. 6.1.7."

and

WHEREAS, the building is 4 stories (47 ft.) in height, 44 ft. 6 in. by 65 ft. in area, of non-fireproof construction, located in a business use district, erected prior to 1914 and occupied as furniture showrooms; and

WHEREAS, the applicant contends that the building runs through from street to street; that no additional load is being put on these floors than would be placed if it was occupied for dwelling; that sufficient exits have been provided; that there is a fireproof enclosed stairway leading direct to Court Square and a fire-escape at the rear of the building leading to Red Hook Lane.

Resolved, that the decision of the acting borough superintendent on Alt. Applic. No. 605-39, objections 4 and 5, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be used for furniture showrooms throughout above the street grade for the display of new household furniture only; that such furniture shall be so placed and distributed as not to exceed the floor carrying capacity of 50 lbs. per superficial foot; that a floor load computation shall be filed with the borough superintendent, showing that each floor is good for this capacity throughout; that in all other respects the building shall comply with the Building Code, except that the exits need not comply with the requirements of the Code, providing the existing exits are maintained to the satisfaction of the borough superintendent, and the occupancy as proposed is continued.

903-39-A.

APPLICANT—Lama and Proskauer, for G. E. Specialty Company, owner.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—19 Wyckoff avenue, northwest corner of Troutman street (Block No. 3177, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and A. Granowitter.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(903-39-A)

WHEREAS, Lama and Proskauer, for G. E. Specialty Company, owner, filed July 6, 1939, an appeal from an order of the fire commissioner, affecting premises 19 Wyckoff avenue, northwest corner of Troutman street (Block No. 3177, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 79502-LC, dated June 14, 1939, reads:

"2. Provide a mixing tank for the manufacture of the inflammable mixture 'Gesco Best Floor Polish'. The tank shall be kept closed except when the ingredients entering into the manufacture of the inflammable mixture are placed therein. C-19-59. O.H., Administrative Code.

3. Provide that the ceiling of the inflammable mixture tank compartment is constructed of Portland Cement at least 6 inches thick, or of brick masonry

at least 8 inches thick. C-19-59, O.H., Administrative Code.

4. Provide a ventilating flue for compartment wherein mixing tank is located on basement story. Said flue to be constructed of brick or concrete, lined with tile pipe at least 8 inches square, inside measurement, and extending from the floor of the compartment at a point opposite the door to at least 6 feet above the highest point of the roof, and at least 10 feet from the nearest wall of adjoining building.

6. Separate the boiler room from remainder of the building by an unpierced fireproof wall, consisting of solid masonry or its equivalent, at least 8 inches in thickness. C-19-59 P. Administrative Code.

7. Discontinue the packing of the inflammable mixture, 'Gesco Best Floor Polish' for domestic or household use, or for sale for domestic or household use, in glass bottle of a capacity larger than four ounces. C-19-59.O-C, Administrative Code."

and

WHEREAS, the building is one (1) story (17 ft. 6 in.) in height, 25 ft. by 95 ft. 7 in. in area, of non-fireproof construction, located in an unrestricted use district, erected in 1909, and occupied: Cellar—mixing room, boiler room—1 person; 1st floor—office and storage room—1 person; and

WHEREAS, the applicant contends that it is proposed to eliminate the ventilating flue which is of brick construction, lined with tile pipe and substitute a galvanized iron duct; that the lease is short and the mixing room is used about once a month; that the inflammable mixture is denatured alcohol and manila gum, which is used in the manufacture of floor polish; that the fireproof ceiling in the mixing room is unnecessary, as the mixing room is very small; that it is proposed to fire-retard this ceiling; that it is proposed to store small cans of paint which are not manufactured on the premises; that these cans will be stored in a separate compartment with brick enclosure; that it is also proposed to pack Gesco Best Floor Polish in 32 oz. jars with metal caps; that this size jar is necessary, as it requires 32 oz. of this polish to do an ordinary one family house.

Resolved, that the order of the fire commissioner, No. 79502-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the ceiling of the room in which the mixing tank is installed, shall be fire-retarded and that there shall be a flue connected from the mixing tank through and above the roof and constructed of masonry or galvanized iron; that the boiler room shall be separated from the balance of the building and enterable only from the exterior; that the room in which paint is stored, shall be separated by tight-fitting partitions with any doors opening therein made tight-fitting; that the building shall not be increased in height; that the packaging of this material in glass bottles not exceeding 32 oz. in capacity may be permitted, provided each bottle is labeled "inflammable mixture" and the number of the fire department permit; that all bottles shall have a tight-fitting replaceable metal top; that the two (2) tanks buried below the cellar floor for the storage of kerosene, shall be left unused and sealed.

908-39-A.

APPLICANT—Starrett and Van Vleck, for Bloomingdale Brothers, Inc., owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—743-765 Lexington avenue, east side, from East 59th street to East 60th street, 135-163 East 59th street, 140-176 East 60th street and 990-1008 Third avenue (Block No. 1394, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank Gaertner.

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For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(908-39-A)

WHEREAS, Starrett and Van Vleck, for Bloomingdale Brothers, Inc., owner, filed June 28, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 743-765 Lexington avenue, east side, from East 59th street to East 60th street, 135-163 East 59th street, 140-176 East 60th street and 900-1008 Third avenue (Block No. 1394, Lot No. 23), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 1742-39, dated June 8, 1939, reads:

"1. Enclosure of escalator, if altered from its original approved enclosure, should comply with 10.5, Building Code for shaft enclosures, also, to comply with 3.2.1, Building Code for exit enclosures. Type No. 1 fireproof structures, viz. 3 hr. test assemblies."

and

WHEREAS, the building is 200 ft. 10 in. by 420 ft. in area six stories (85 ft.) in height, of fireproof construction, equipped with a standpipe and a sprinkler system, located in a business use district and occupied throughout as a department store; and

WHEREAS, the applicant contends that it is proposed to install an escalator shutter of similar type and construction as those recently installed in the Altman store, as shown on plans filed with this appeal.

Resolved, that the decision of the borough superintendent of buildings, re Alt. 1742-39, objection No. 1, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the omission of enclosures, as required by the Building Code, around the proposed escalators, as indicated on plans filed with this appeal, *on condition* that there shall be constructed baffle plates around each floor opening extending downward for a distance of at least 2 ft. from ceiling and located within 2 ft. of the perimeter of such opening; that these baffle plates may be of steel or 2 in. wire lath and plaster; that supplementary sprinklers shall be installed in addition to the sprinkler system in the building, to form a sprinkler curtain on the exterior of the baffle plates around each opening, and within 2 ft. thereof; that such sprinkler heads shall be not more than 6 ft. on centers; that where any sprinkler head of the building sprinkler system is at a point closer than 4 ft. to a head in the sprinkler curtain, a metal reflector shall be installed at such head to prevent water cooling; that a roller shutter shall be installed over each opening constructed in a horizontal position and arranged so as to be manually operated for closing or opening by means of a chain, permanently attached, or by means of a permanently attached crank-handle so constructed as to operate the curtain both for closing and opening; that on all shutters, directly above the bottom rail there shall be painted the words "Close Shutter to Floor", with an arrow pointing downwardly; that a gong shall be installed at each escalator run, operated by means of pushbuttons located centrally, two to a floor, the pushing of any such button shall ring gongs on all floors, as a signal to attendants to close all escalator curtains; that instructions to all superintendents and section managers shall include, in addition to general instructions as to use of fire extinguishing equipment and exits in case of fire, instruction and monthly drill as to closing escalator curtains, so that responsibility will at all times be fixed on certain attendants on each floor to insure that the curtains will be immediately closed upon sounding of the gong signal; that

the closing of the curtain shall automatically stop all escalators; that these curtains shall be closed at all times when the store is not open for business and, also, shall be tested during the conduct of the fire drill; that this modification is *granted* only so long as the building is occupied by Bloomingdale Brothers, Inc. or their successors in such business and so long as the sprinkler and standpipe systems are maintained to the satisfaction of the fire commissioner and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

910-39-A.

APPLICANT—George D. McManus, President of McManus Laboratories, Inc., lessee, for All Purpose Gold Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—107-111 Myrtle avenue, north side, 21 ft. west of Bridge street (Block No. 143, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lawrence A. Wien and George D. McManus.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(910-39-A)

WHEREAS, George D. McManus, President, McManus Laboratories, Inc., lessee, for All Purpose Gold Corporation, owner, filed July 5, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 107-111 Myrtle avenue, north side, 21 ft. west of Bridge street (Block No. 143, Lot No. 30), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 79399-LC, dated April 18, 1939, reads:

"1. Discontinue the storage and sale of 'Riller Hair Curling Compound' and 'Machineless Waving Powder' and 'Koolerets' for the reason that it is the opinion of this department that said materials are too hazardous to be stored and sold in the City of New York. C-19-11.0, Administrative Code.

2. Provide 6 metal water pails of at least 10 quarts capacity, for each 2500 square feet of area, on 1st story and in cellar. Pails to be painted red and marked FIRE with letters not less than two and one half inches in height. Pails to be kept full of clean sand or water, same not to be used for any other purpose. Placed on permanent shelves, hooks or racks, same to be not less than two feet nor more than four and one half feet above the floor. C-19-10.0, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated June 9, 1939; and

WHEREAS, the building is five stories (65 ft.) in height, 60 ft. by 100 ft. in area, of non-fireproof construction, located in a business use district, erected about 1890, and occupied: 1st floor—beauty shop supplies—10 persons; 2nd floor—paper box company—2 to 6 persons; 3rd floor—gold leaf manufacturing—10 persons; 4th floor—gold leaf manufacturing—24 persons; 5th floor—manufacture of hot dye stamping material—6 persons; and

WHEREAS, the applicant contends that "Rilling Kooler-wave Solution" is a water solution of various salts, consisting of 95% water and none of the dissolved salts are inflammable; that it can actually be used as a fire-extinguisher; that no "machineless waving powder" is stored

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on the premises; that the "Rilling Koolerettes" stored on the premises consist of paper rolled cigarette shaped pellets, packed in sealed air-tight and water-tight cans; that these pellets are non-inflammable; that an adequate number of fire pails has been provided.

Resolved, that the order of the fire commissioner, No. 79399-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Item No. 1, *on condition* that no manufacture of the product shall be conducted on the premises; that the storage of the product shall not exceed 1,000 hermetically sealed cans containing approximately ½ lb. of material in each can; that no can shall be opened or its contents used on the premises; that in all other respects the requirements of the fire commissioner's order shall be complied with.

913-39-A.

APPLICANT—Bohemian Citizens Benevolent Society of Astoria, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—29-19 24th (Woolsey) avenue, north side, 95 ft. west of 31st street (Block No. 842, Lot No. 6), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Jaioslav Jedlicka.

For Administration: A. Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(913-39-A)

WHEREAS, Bohemian Citizens Benevolent Society of Astoria, Inc., owner, filed July 7, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 29-19 24th (Woolsey) avenue, north side, 95 ft. west of 31st street (Block No. 842, Lot No. 6), Astoria, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 962-39, dated June 8, 1939, reads:

"1. The use of building as a cabaret is contrary to Sec. 4.2.1 N.Y.C. Building Code.

(The building is located within business and residential districts and is over 20 ft. high and the area exceeds 5000 sq. ft.)"

and

WHEREAS, the building is 2 stories (32 ft.) in height, 75 ft. by 125 ft. in area, located in a business and residence use district, erected in 1910 and occupied: Cellar—boiler room, bowling alley and kitchen; 1st floor—apartment, meeting room (50 persons), dance hall—350 persons; bar room—75 persons; 2nd floor—two meeting rooms—50 persons; school room—30 persons; and

WHEREAS, the applicant contends that this is a membership corporation, non-profit making and its purposes are benevolent, educational and fraternal; that its charitable enterprises are financed by the dues of its members and revenue derived from the tap room, dances and picnics it runs; that the building was erected in 1910 in full compliance with the then existing requirements; that an application was recently made to the Police Department for a dance license and the applicant was informed that it was necessary to obtain a certificate of occupancy and such certificate was refused on the ground the building is over 20 ft. high and exceeds 5000 sq. ft. in area; that if the certificate of occupancy is not granted, a substantial portion of the organization's revenue will be cut off.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 962-39, be and it hereby is

modified, and that the appeal be and it hereby is *granted on condition* that other than the height and area, the building shall comply with the requirements of the Building Code in all respects as to construction and occupancy; that this modification shall continue only so long as the building is used as an incorporated philanthropic society for the purposes as set forth.

958-39-A.

APPLICANT—Harvey Wiley Corbett and Charles B. Meyers, for Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Blocks bounded by Centre, White, Baxter and Leonard streets (Block No. 167, Lot Nos. 1 to 51 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles B. Meyers.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(958-39-A)

WHEREAS, Harvey Wiley Corbett and Charles B. Meyers, for Dept. of Public Works, City of New York, owner, filed on July 17, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: blocks bounded by Centre, White, Baxter and Leonard streets (Block No. 167, Lot Nos. 1 to 51, inclusive), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated May 24, 1939, reads:

"Receipt is acknowledged of your letter of May 9, 1939, re the enclosure of the stairway in the new Criminal Courts and Jail building.

Your request that the objection of the examiner requiring that interior stairway be enclosed in terra cotta partitions instead of steel frame and wire glass is hereby denied, as under section 153, subd. 2 of the old Code, under which this application was examined, fireproof enclosures are required for stairways in buildings of this height."

and

WHEREAS, the proposed building will be fireproof, 13 stories, plus 2 bulkhead tiers of roof structure (229 ft. 8 in.) in height, 120 ft. by 194 ft. at 1st story, 68 ft. by 194 ft. in area above; located in an unrestricted use district; to be occupied: Subcellar—machinery, incinerator; Cellar, machinery, laundry, lockers, storage, 145 persons; 1st floor, detention pens, offices, waiting rooms, 192 persons; 2nd floor, kitchen, dining rooms, visiting booths, 317 persons; 3rd floor, detention cubicles, 107 persons; 4th to 8th floors, inclusive, prison cells, 129 persons per floor; 9th and 10th floors, prison cells, 109 and 108 persons, respectively; 11th floor, observation ward, chapel, prison cells, 246 persons; 12th floor, infirmary, projection booth, 20 persons; 13th floor and exercise roof, exercise, machinery, 126 persons; and

WHEREAS, the applicant contends that it is necessary to enclose the stairway in a steel frame and one-half inch thick polished wire glass, so as to permit clear observation by keepers and guards of persons using the stairway.

Resolved, that the decision of the borough superintendent, dated May 24, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the use of ½-inch polished wire plate glass in steel frames as

MINUTES

an enclosure on one side of Stairway No. 1 and on certain floors on the doors of Stairway No. 2, as indicated on plans filed with this appeal, *on condition* that where such glass is used the size of light shall not exceed panels 8 in. by 10 in. in size; that the steel framework shall be substantially as shown on detailed drawings filed with this appeal.

514-37-A.

APPLICANT—R. L. Tureaud, for Willard Storage Battery Company, on behalf of Commercial Solvents Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of anti-freeze “Ajax Plus,” “Norway” and “Ajax” in non-refillable cans in New York City.

APPEARANCES—

For Applicant: Donald Agnew.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(514-37-A)

WHEREAS, Donald Cruse, applicant, for Commercial Solvents Corporation, owner, filed October 29, 1937, an appeal from a decision of the fire commissioner, affecting the storage and sale of AJAX, AJAX PLUS and NORWAY, Anti-Freeze mixtures in sealed cans not of the type required by section 131, subdiv. 3, chapter 10, Code of Ordinances; and

WHEREAS, the decision of the fire commissioner, dated October 13, 1937, reads as follows:

“Please be advised that this department disapproves all cans used for packing and shipping anti-freeze (inflammable mixtures) other than the type as specified and provided for in section 131, subd. 4, chapter 10, Code of Ordinances of the City of New York, for the reason that

‘Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight-fitting replaceable top, cap or other device, so made that the can shall be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each.’”

and

WHEREAS, the applicant contends that AJAX PLUS Anti-Freeze Mixture is prepared by adding to each 100 gallons of completely denatured alcohol, 4 gallons of kerosene (regular grade), 1 gallon of Stanco Rust Inhibitor and 20 grams of Acid Fuchsin D. The completely denatured alcohol is prepared by adding 100 gallons of ethyl alcohol of not less than 160 degrees proof, 3 gallons of denol or a compound similar thereto, 3 gallons of ST-115 or a compound similar thereto, 1 gallon of gasoline and one-half gallon of hydronol 1 or a compound similar thereto; that NORWAY Anti-Freeze mixture is prepared by adding to 100 gallons of 100 per cent methanol 3 gallons of Non Odor Oil, 1 gallon of Stanco Rust Inhibitor and 16 grams of “Luxol” Fast Blue A. R.; that AJAX Anti-Freeze mixture is completely denatured alcohol to which a small quantity of Stanco Rust Inhibitor is added, no coloring matter is added, but due to the rust inhibitor, AJAX Anti-Freeze has a slight amber color; that it is

proposed to market the mixtures in question in one-quart and one-gallon sealed cans; the applicant contends further that the proposed non-refillable containers are offered to the public to protect them against substitution or dilution of the product; that the cans are safe containers for the following reasons; that the product is serviced into an automobile with devices by which the flow from the can can be accurately directed and carefully poured, there is no likelihood that remnants of Anti-Freeze mixture will remain about the premises in containers without a removable top; that all the containers prominently display a caution notice concerning the inflammable nature of the contents; that there is no fire or accident record to justify any restriction of the Anti-Freeze in containers not exceeding one-gallon; and

WHEREAS, it is proposed to market anti-freeze mixtures consisting primarily of denatured alcohol and/or methanol with coloring matter and anti-rust compound added, under various trade names.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 16, 1937, so that as amended, it shall read:

“Resolved, that the decision of the fire commissioner, dated October 13, 1937, be and it hereby is modified and that the appeal be and it hereby is granted, permitting the transportation, sale, storage and manufacture of anti-freeze (inflammable mixture) as described in this appeal, in one gallon cans and in one quart cans without a tight-fitting replaceable top, *on condition* that there shall appear on each can, a prominent notice reading ‘UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE’; that such notice shall have white letters on a red background or red letters on a light colored background; that for the balance of 1937, such cans as are manufactured without this notice shall bear a similar notice pasted upon each can reading as herein required; that after January 1, 1938, such notice shall be part of the lithographed label on the surface of the can; that this lithographed label shall also contain the words ‘THIS CONTAINER FOR ANTI-FREEZE APPROVED BY THE BOARD OF STANDARDS AND APPEALS UNDER CAL. NO. 514-37-A’; that this product may be marketed under trade names, as follows: Ajax, Ajax Plus and Norway, together with the name of the manufacturer or agent.

Resolved further, that this material may be marketed under the names, Richfield Super-Anti Freeze (as already permitted under Cal. No. 706-38-a) and Willard Odorless Anti-Freeze and Willard Anti-Freeze, on condition that under whichever name marketed, the requirements of this resolution shall be complied with.”

VARIATIONS OF LABOR LAW

905-39-S.

APPLICANT—M. P. Berglas Manufacturing Company, owner.

SUBJECT—Variation of the Labor Law as cited in orders and a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—8-10 Fulton street and 1-13 Furman street, southeast corner and 1-11 Doughty street (Block No. 200, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph M. Stanford.

ACTION OF BOARD—Laid over to September 12, 1939, at 2 P. M.

1156-38-S.

APPLICANT—A. C. Lefante, for Andrew Schirrmeister, owner.

MINUTES

SUBJECT—Application reopened April 11, 1939—re variation of the labor law as cited in a decision of the acting borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—661-663 Broadway, east side, 161 ft. 10½ in. south of Varet street (Block No. 3112, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. C. Lefante.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Application withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

350-39-S.

APPLICANT—Mary Alice Van Nest Little, owner.

SUBJECT—Variation of the Labor Law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—40 West 38th street, south side, 514 ft. west of Fifth avenue (Block No. 639, Lot No. 69), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

MATERIALS SUBMITTED FOR APPROVAL

175-39-SM.

APPLICANT—Jay R. Smith, owner.

SUBJECT—Jay R. Smith Asbestos Floor Flange Gasket, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

497-39-SM.

APPLICANT—Alpha Portland Cement Company, owner.

SUBJECT—Alpha Mortar Cement, manufactured at Martins Creek, Pa., approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

811-39-SM.

APPLICANT—Treetex Corporation, owner.

SUBJECT—"Evenaire" Insulating Wallboard Lath, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

Remaining minutes of the regular meeting of July 18, 1939, will be printed in the Bulletin of August 1, 1939.

EDWARD V. BARTON, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Copies of the Official Directory of the City of New York for the year 1939 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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No. 31

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

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Smoking in Factory, Rules.

Rules relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply.

Approved Vacuum Breakers.

PUBLIC HEARINGS

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Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

AUG 31 1939

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

UNIVERSITY OF ILLINOIS

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to July 25, 1939

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
977-39-SM.....		Aalborg Portland Cement, manufactured by Bimco Trading, Inc., Material.
978-39-SM.....		Aalborg White Portland Cement, manufactured by Bimco Trading, Inc., Material.
979-39-A.....	H.B.M.....	1835 Lexington avenue, east side, 60 ft. 11 in. south of East 114th street (Block No. 1641, Lot No. 51½), Borough of Manhattan, Alt. 61-38 and Decision.
980-39-A.....	F.D.....	93-30 Van Wyck boulevard, west side, 62 ft. north of 94th avenue (Block No. 522, Lot No. 14), Jamaica, Borough of Queens, 1536-L.F. and Decision.
981-39-A.....	F.D.....	87 34th street, northwest corner of Third avenue (Block No. 683, Lot No. 1), Borough of Brooklyn, 79931-L.C. and Decision.
982-39-BZ....	H.B.M.....	406-420 West 55th street, south side, 100 ft. west of Ninth avenue (Block No. 1064, Lot Nos. 37, 38, 38½, 39, 40, 41, 41½ and 42), Borough of Manhattan, Decision re Certificate of Occupancy.
983-39-A.....	F.D.....	40-58 Washington street, 35-53 Main street, 73-95 Front street and 88-110 Water street (9th floor); (Block No. 37, Lot No. 1), Borough of Brooklyn, 80476-L.C.
984-39-A.....	F.D.....	245-251 Seventh avenue and 165 West 24th street, northeast corner (Block No. 800, Lot No. 1), Borough of Manhattan, 18253-L.C.
985-39-A....	H.B.Bx....	1610 Mahan avenue, northeast corner of Middletown road (Block No. 4173, Lot Nos. 29 and 33), Borough of The Bronx, B.N. 536-39.
986-39-SM.....		Allentown Portland Cement, manufactured by Allentown Portland Cement Company, Material.
987-39-SM.....		Robertson Asbestos Protected Metal for Roofing and Siding, manufactured by H. H. Robertson Company, Inc., Material.
988-39-SM.....		Medusa Stoneset Cement and

Medusa Brikset Cement, manufactured by Medusa Portland Cement Company, Material.

989-39-SM.....		Medusa Hi-Early Strength Portland Cement, manufactured by Medusa Portland Cement Company, Material.
990-39-SM.....		Mallory Fill Pipe Terminal, manufactured by Mallory Fittings Company, Material.
991-39-SM.....		Coyne and Delany Company Elevated Ballcock Vacuum Breaker No. 92, manufactured by Coyne and Delany Company, Material.
992-39-SM.....		Coyne and Delany Company High Tank Ballcock Vacuum Breaker No. 92, manufactured by Coyne and Delany Company, Material.
993-39-A.....	H.B.Q.....	135-02 62nd avenue, south side, 260 ft. west of 136th street (Block No. 6389, Lot No. 1), Flushing, Borough of Queens, N.B. 5557-39, (Section 35, General City Law re Bed of Mapped Street).
994-39-SM.....		Vulcanite All-Purpose Cement, manufactured by Vulcanite Portland Cement Company, Material.
995-39-A.....	F.D.....	Northeast corner of Queens boulevard and 39th street (Block No. 191, Lot No. 5), Long Island City, Borough of Queens, 79800-L.C. and Decision.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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Exit Rules (Revolving Doors).....	June	15, 1937—Vol. 22, No. 24
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Fireline Hose Valves.....	Apr.	25, 1939—Vol. 24, No. 17
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Range Oil Burners and Space Heaters.....	Jan.	3, 1939—Vol. 24, No. 1
Vacuum Breakers.....	Aug.	1, 1939—Vol. 24, No. 31

ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 12, 1939, at 10 a.m.

SEPTEMBER 12, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, Tuesday morning, September 12, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 411-39-BZ—Application, March 31, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Violet Bazerman, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

CAL. NO. 721-39-BZ—Application, May 31, 1939, under section 7d of the building zone resolution, of New York Telephone Company, applicant and owner, to permit in a residence use district, the extension of an existing central telephone exchange; premises 182-08 to 182-26 140th avenue, east side, from 182nd street to 183rd street, 140-01 to 140-11 182nd street and 140-02 to 140-10 183rd street (Block No. 3781, Lot No. 1), Springfield Gardens, Borough of Queens.

CAL. NO. 742-39-BZ—Application, June 5, 1939, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of F. D. Koehler Co., Inc., owner, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline

service station; premises 1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

CAL. NO. 750-39-BZ—Application, June 7, 1939, under sections 7c and 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of Abraham Finger and Mollie Finger, owners, to permit in a business use district, the extension of and, also, the reconstruction of buildings on an existing gasoline service station; also, the parking of more than five (5) motor vehicles; premises 491-497 East 133rd street, northeast corner of Brown place (Block No. 2261, Lot Nos. 15 and 17), Borough of The Bronx.

CAL. NO. 1222-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Louis Caner, owner, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores); premises 794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

CAL. NO. 1224-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Max Shifrin, owner, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 695-697 New Lots avenue, north side, 21 ft. 1 in. west of Jerome street (Block No. 4091, Lot No. 16), Borough of Brooklyn.

CAL. NO. 503-38-BZ—Application, June 17, 1938, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Miriam Osborn Memorial Home Association, Inc., Mary T. Howard, Mary Cory and Gertrude Hughes, owners (Arnold C. Gordon, lessee), to permit partly in an unrestricted use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2327-2331 Bathgate avenue, west side, 25 ft. south of East 185th street and 2326-2330 Bassford avenue (Block No. 3053, Lot Nos. 28, 31, 32 and 49), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 12, 1939, 2 P. M.

Appeal from Administrative Decision

698-39-A—115-23 Jamaica avenue and 86-28 116th street, northwest corner (Block No. 192, Lot Nos. 20 and 21), Richmond Hill, Borough of Queens.

CALENDAR

Variation of Labor Law

905-39-S—8-10 Fulton street, 1-13 Furman street, southeast corner and 1-11 Doughty street (Block No. 200, Lot No. 1), Borough of Brooklyn.

SEPTEMBER 19, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 19, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 355-39-BZ—Application, March 21, 1939, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of Jeanette E. Thompson and Estate of A. G. Thompson, owners, to permit in a residence use district, the maintenance of garages for the storage of more than three (3) motor vehicles; premises South side of St. Johns avenue, 125 ft. west of Bay street (Block No. 2860, Lot Nos. 20 and 39), Rosebank, Borough of Richmond.

CAL. NO. 178-39-BZ—Application, February 14, 1939, under section 7f of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Buhrman Sand and Gravel Corporation, owner (Colonial Sand and Stone Co., Inc., lessee), to permit in a residence use district, the operation of a sand and gravel pit; premises East side of Douglaston parkway, 951.27 ft. south of 61st avenue (Block No. 8291, Lot No. 1), Douglaston, Borough of Queens.

CAL. NO. 904-38-BZ—Application, October 19, 1938, under sections 7h and 21 of the building zone resolution, of Harry Annabel, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-11 168th place, east side, 100 ft. south of 89th avenue (Block No. 9801, Lot Nos. 46 and 47), Jamaica, Borough of Queens.

CAL. NO. 844-38-BZ—Application, October 4, 1938, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Lena Maria Rasch, owner (William Aaron and Leo Goldberger, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2717-2739 Pitkin avenue, northeast corner of Euclid avenue (Block No. 4214, part of Lot No. 1), Borough of Brooklyn.

CAL. NO. 103-39-BZ—Application, January 27, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of President and Directors of the Manhattan Company, owner, to

permit in a business use district, the erection and maintenance of a gasoline service station; premises 196-27 Linden boulevard, northwest corner of 197th street (Block No. 1960, Lot No. 115), St. Albans, Borough of Queens.

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 414-39-BZ—Application, April 1, 1939, under section 21 of the building zone resolution, of Boochever, McManus and Ostrow, applicants, on behalf of Joseph Rosenbaum, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1031-1041 Bedford avenue, southeast corner of Clifton place (Block No. 1793, Lot No. 5), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 19, 1939, 2 P. M.

Appeals from Administrative Decisions

906-39-A—419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan.

916-39-A—54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens.

944-39-A—East Bank of Harlem River, 128 ft. south of West 171st street (Block No. 2541, Lot Nos. 126-132), Borough of The Bronx.

SEPTEMBER 22, 1939, 10 A. M.

SPECIAL MEETING.

Appeals from Administrative Decisions

886-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

921-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

922-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

SEPTEMBER 26, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 26, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

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CAL. NO. 571-39-BZ—Application, May 5, 1939, under section 21 of the building zone resolution, of David Millman, applicant, on behalf of Benjamin Hershman and Edna Schaar, owners (Herbert Peetz, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 205-217 South First street, north side, 142 ft. east of Driggs avenue (Block No. 2394, Lot Nos. 30, 32, 35 and 37), Borough of Brooklyn.

CAL. NO. 703-38-BZ—Application, August 8, 1939, under section 7h of the building zone resolution, of Alice M. Johnston, applicant, on behalf of J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners (Charles Miller, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.

CAL. NO. 819-38-BZ—Application, September 24, 1938, under sections 7h and 21 of the building zone resolution, of Charles McEvoy, applicant and lessee, on behalf of Charles Jacobs, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 75-01 Broadway, northeast corner of 75th street (Block No. 1486 (499), Lot Nos. 13, 16 and 18), Jackson Heights, Borough of Queens.

CAL. NO. 671-39-BZ—Application, May 22, 1939, under sections 7c and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Artbern Corporation, owner, (Reshen Sons, lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens.

CAL. NO. 903-38-BZ—Application, October 19, 1938, under section 7h of the building zone resolution, of Morris Goldberg, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3066-3076 West 23rd street, northwest corner of Riegelman Boardwalk and 3031 West 24th street (Block No. 7070, Lot Nos. 155, 170, 171, 172, 173 and part of Lot No. 145), Borough of Brooklyn.

CAL. NO. 1041-38-BZ—Application, November 18, 1938, under section 7h of the building zone resolution, of Tenzer, Greenblatt, Fallon and Kaplan, applicants, on behalf of

Board of Transportation, City of New York, owner (Midtown Auto Storage Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 335 - 365 Schermerhorn street and 2-8 Third avenue, northwest corner (Block No. 167, Lot No. 36 and part of Lot No. 28), Borough of Brooklyn.

CAL. NO. 1044-38-BZ—Application, November 18, 1938, under section 7h of the building zone resolution, of Tenzer, Greenblatt, Fallon and Kaplan, applicants, on behalf of Board of Transportation, City of New York, A. J. Nutting Corporation and Manpet Realty Co., Inc., owners (Midtown Auto Storage Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 252-304 Schermerhorn street and 51-59 Bond street, southeast corner (Block No. 172, Lot Nos. 7, 10, 13 and 18), Borough of Brooklyn.

CAL. NO. 425-39-BZ—Application, April 5, 1939, under section 7a of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Joseph Serpico, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 807 Metropolitan avenue, north side, 1-5 Bushwick avenue and 18 Maspeth avenue, southeast corner (Block No. 2907, Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 26, 1939, 2 P. M.

Appeals from Administrative Decisions

733-39-A—177-181 Concord street, northeast corner of Duffield street (Block No. 109, Lot No. 25), Borough of Brooklyn.

752-39-A—245 Russell street, northeast corner of Meserole avenue (Block No. 2628, Lot No. 6), Borough of Brooklyn.

873-39-A—110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn.

884-39-A—81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens.

909-39-A—166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens.

925-39-A—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

969-39-A—168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21 to 28, inclusive), Borough of Brooklyn.

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972-39-A—8665-20th avenue, north side, 133 ft. west of Benson avenue (Block No. 6375, Lot No. 7), Borough of Brooklyn.

976-39-A—50 West 225th street, south side, 661 ft. east of Broadway (Block No. 2215, part of Lot No. 700), Borough of Manhattan.

OCTOBER 10, 1939, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

386-39-A—41-45 Elliott place, northwest corner of Walton avenue (Block No. 2842, Lot No. 22), Borough of Brooklyn.

581-39-A—1510 Jessup avenue, east side, 884.8 ft. south of Featherbed lane (Block No. 2872, Lot Nos. 287, 293, 296, 298, 299 and 300), Borough of The Bronx.

OCTOBER 17, 1939, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 17, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, JULY 18, 1939.

(Continued)

BUILDING ZONE CASES

207-33-BZ.

APPLICANT—Jeremiah A. Houlihan, for O'Brien Building Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—3090-3102 Webster avenue and 401-409 East 203rd street, southeast corner (Block No. 3330, Lot Nos. 65, 66, 67 and 68), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

387-39-BZ.

APPLICANT—Theodore R. Feinberg, for 126-08 Northern Boulevard Corporation, owner (request for reopening made by Reginald S. Hardy, attorney for owner).

SUBJECT—Application for consideration—reopening and rehearing on new facts—re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution,

to permit in a business use district, the inclusion of a gasoline service station in an existing building (previously denied).

PREMISES AFFECTED—126-02 to 126-08 Northern boulevard, 33-01 to 33-21 126th street, southeast corner, and 126-01 34th avenue, northeast corner of 126th street (Block No. 1820, Lot No. 1), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy, Theodore R. Feinberg and A. F. Roe.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief Walsh	3
Negative: Commissioner Savage	1
Absent	0

712-26-BZ.

APPLICANT—George H. Boyce, for Philip H. Reid, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles for a temporary period (denied re maintenance of gasoline service station and the establishment of a motor vehicle repair shop under section 21 of the building zone resolution).

PREMISES AFFECTED—2205-2211 Emmons avenue, north side, 297 ft. $\frac{3}{4}$ in. east of East 21st street (Block No. 7496, Lot No. 193), Borough of Brooklyn.

APPEARANCES—

For Applicant: George H. Boyce and Philip H. Reid.

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For Opposition: Harold Klorfein, Department of Parks..

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(712-26-BZ)

WHEREAS, Philip H. Reid, owner, filed November 4, 1936, an application under the building zone resolution to permit partly in a residence use district and partly in a business use district the maintenance of a gasoline service station previously granted by the board for a temporary period of 2 years on November 23, 1926, and which period has long expired, and also the further use of the plot for battery and brake service shop and for the parking of more than five (5) motor vehicles; premises 2205-2211 Emmons avenue, north side, 297 ft. $\frac{3}{4}$ in. east of East 21st street (Kenmore place) (Block No. 7496, Lot No. 193), Borough of Brooklyn; and

WHEREAS, this application was granted by the board July 13, 1937, on certain conditions and applicant requested an extension of the temporary period.

Resolved, that the resolution adopted by the board on July 13, 1937, be and it hereby is *amended*, only so far as it has reference to parking, so that as amended this portion of the resolution will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7-H for a period of two (2) years from the date of this amended resolution, to permit the front portion of the premises within the business use area to be used for transient parking of more than five (5) motor vehicles only, *on condition* that only such motor vehicles are parked as are capable of operation and that during such term or until adjudication by the Court reversing the action of the Board, that no automobile repairing shall be carried on and no gasoline shall be sold.

500-28-BZ.

APPLICANT—William Shary, for Charles Zenker, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, permitting partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(500-28-BZ)

WHEREAS, this application affecting premises 2801-2819

Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx, was granted by the board, January 22, 1935, on certain conditions, time extended to complete work September 22, 1937 and September 13, 1938, and applicant requests a further extension of time to complete the work.

Resolved, that the resolution, adopted by the board on January 22, 1935, be and it hereby is *amended*, only so far as it has reference to the time within which to complete the work, so that as amended this portion of the resolution will read:

"That the time within which to complete work shall be extended to one (1) year from the date of this amended resolution, *on condition* that other than as amended herein, all requirements of the resolution adopted by the Board on January 22, 1935 shall be complied with."

162-37-BZ.

APPLICANT—Joseph M. Lonergan, for Edfan Properties, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re (decision of the borough superintendent of buildings)—re application granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the inclusion in an existing gasoline service station of a motor vehicle repair shop and also a parking and storage space for more than five (5) motor vehicles.

PREMISES AFFECTED—2221 Boston road, west side, 18.22 ft. north of Pelham parkway north (Block No. 4339, Lot Nos. 8, 10 and 11), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph M. Lonergan.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(162-37-BZ)

WHEREAS, I. L. Crausman, for Treville Holding Corporation, owner, filed April 6, 1937, an application under the building zone resolution to permit in a business use district, the inclusion in an existing gasoline service station of a motor vehicle repair shop and also a parking and storage space for more than five (5) motor vehicles; premises: 2231 Boston road, west side, 18.22 ft. north of Pelham parkway north (Block No. 4339, Lot Nos. 8, 10 and 11), Borough of The Bronx; and

WHEREAS, this application was granted by the board January 4, 1938, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on January 4, 1938, be and it hereby is *amended*, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit automobile repairing of a minor nature, *on condition* that such repairing shall be done with hand tools only and shall be done entirely within the building, and permitting the storage of not over ten (10) cars within the building, *on further condition* that all roof signs on the accessory building and on the building adjoining to the south, now occupied as stores and under the same ownership, shall be en-

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tirely removed, and that no new signs shall be installed or constructed above the existing parapets of these present buildings; that the sign on the lot line to the north shall be re-located so that the top of signs is not above the top of the parapet of accessory building; that such signs shall be completely removed and replaced in accordance with these requirements before a new permit is issued; that other permitted signs shall consist only of a permanent sign attached to the parapet of existing accessory building and illuminated globes of the pumps, and one post standard within the building line for the support of a sign advertising only the brand of gasoline on sale, excluding all temporary signs; that no additional gasoline pumps shall be installed other than now existing; that no portable gasoline pumps shall be maintained on the premises; that the building and the premises shall not be extended in height or area; and that all work shall be done and all permits shall be obtained within six months from the date of this resolution.

Resolved further, that in the event it is desired to remove all partitions at the northerly side of the service station area, as indicated on plans marked 'Received July 7, 1939', that removal of such partitions may be made and the space used as part of the repair shop, on condition that there shall be no entrance from this space for automobiles to or from Olinville avenue; that in all other respects the resolution adopted by the Board on January 4, 1938 shall be complied with.'

589-38-BZ.

APPLICANT—Herman Kron, for Jacob A. Goldstein and May Harris, lessees (Franklin Savings Bank in City of New York, owner).

SUBJECT—Application for consideration and extension of time—re Application (decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, permitting in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block No. 1042, Lot No. 28½ and part of Lot Nos. 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(589-38-BZ)

WHEREAS, Jay Emanuel, for Franklin Savings Bank in the City of New York, owner (Jacob A. Goldstein and May Harris, lessees), filed July 8, 1938, an application under the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block No. 1042, Lot No. 28½ and part of Lot Nos. 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan; and

WHEREAS, this application was granted by the board December 13, 1938, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the board on December 13, 1938, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completing

the work, so that as amended this portion of the resolution will read:

"That all permits shall be obtained and all work completed within three (3) months from the date of this amended resolution."

66-39-BZ.

APPLICANT—Slee and Bryson, for Frank Saccardi and Lauretta Saccardi, owners.

SUBJECT—Application for consideration—reopening and amendment (re decision of the acting borough superintendent of buildings) re Application, granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the conversion of occupancy of part of an existing building to a gasoline service station.

PREMISES AFFECTED—7423 (7421 displayed) 15th avenue and 1501 Bay Ridge parkway (75th street), northeast corner (Block No. 6213, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Elmer Blomberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(66-39-BZ)

WHEREAS, Slee and Bryson, for Frank Saccardi and Lauretta Saccardi, owners, filed January 17, 1939, an application under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of part of an existing building to a gasoline service station, affecting premises 7423 (7421 displayed) 15th avenue and 1501 Bay Ridge parkway (75th street), northeast corner (Block No. 6213, Lot No. 1), Borough of Brooklyn; and

WHEREAS, this application was granted by the board May 9, 1939, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on May 9, 1939, be and it hereby is *amended*, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the reconstruction of the building as proposed, so as to provide an alcove gasoline selling station, *on condition* that the stairway from the 2nd story shall be enclosed in fireproof partitions and shall open directly to the street; that no closet or other space shall be constructed under stair at the 1st floor level; that the cellar under the building shall be filled to grade except for the portion under the store where heater room is now located; that the fire escape on the building shall be maintained and in addition, there shall be a means of escape provided to the roof of the garage in the rear; that the gasoline pump and tanks in the rear garage shall be removed or the storage tank filled and sealed; that new gasoline tanks may be installed within the front portion of the cellar, which is to be filled to grade; that the floor of the gasoline selling alcove shall be cement paved; that any pumps erected shall be erected against the wall to the east and not nearer than 15 ft. to either street building line; that the ceiling of the gasoline selling area shall be protected with fire-retarded ceiling consisting of wire lath and ¾ in. cement plaster, including the store ceil-

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ing; that curb cuts shall be restricted to, one to 15th avenue not over 15 ft. in width and two from Bay Ridge parkway, one, the existing curb cut approximately 35 ft. in width and one not over 15 ft. in width, not nearer than 15 ft. to the building line of 15th avenue, as extended; that no portable gasoline tanks shall be used on or from the premises; that there shall be no motor vehicle repairing; that the greasing and washing of automobiles shall be restricted to the present garage space; that there shall be no openings in the walls of this building to the adjoining premises; that signs shall be restricted to bracket sign attached to the building below the sills of the 2nd story windows, advertising only the brand of gasoline on sale and that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

Resolved further, that the stairway as arranged, as shown on plans marked 'Received July 10, 1939,' may be approved as being in substantial compliance with the requirements of this resolution, provided there shall be maintained on the roof of the garage, a ladder of sufficient length to reach to grade from the parapet, for use in case of fire; that no pumps shall be erected nearer than 6 ft. within the gasoline service station area to the plate glass show window unless such plate glass show window is constructed of steel and wire glass with no light exceeding 720 sq. in."

104-39-BZ.

APPLICANT—Allan B. Bates, for Loro Holding Corporation and Sol Davis, owners.

SUBJECT—Application for consideration — reopening, amendment and approval of plans—re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—606-612 Grand Concourse, east side, 175 ft. north of East 150th street (Block No. 2443, Lot Nos. 45 to 47, inclusive), Borough of The Bronx.

APPEARANCES—

For Applicant: Allan B. Bates and Robert Olmstead.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(104-39-BZ)

WHEREAS, Robert J. Farrington, for Loro Holding Corporation and Sol Davis, owners, filed January 27, 1939, an application under the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station; premises 606-612 Grand Concourse, east side, 175 ft. north of East 150th street (Block No. 2443, Lot Nos. 45 to 47 inclusive), Borough of The Bronx; and

WHEREAS, this application was granted by the board May 23, 1939, on certain conditions and applicant requests approval of plans submitted.

Resolved, that the resolution adopted by the board on May 23, 1939, be and it hereby is *amended*, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under sections 7c and 21, to permit the plot under

appeal to be extended as proposed, and the existing buildings, reconstructed substantially as shown on plans filed with this appeal; as amended by revised plans marked 'Received May 19, 1939'; that the plot west of the proposed accessory building shall be leveled substantially to the grade of Grand Concourse; that the accessory building shall be constructed of fireproof materials throughout; except that the roof beams and roof boarding, door frames and doors may be of wood, provided all windows are constructed of steel frames and sash; that there shall be no excavation under the accessory building except for the greasing pits; that the heater room shall be separated from the balance of the building by fireproof construction enterable only from the rear, as shown; that the rear yard shall be cement paved; that reinforced concrete retaining walls shall be constructed along the railroad right-of-way and shall meet with the approval of the New York Central Railroad; that above the grade of the gasoline station, this wall shall be constructed with a concrete curb not less than 2 ft. in height with an ornamental wood fence above to a total height of not less than 5 ft.; that the plot where not covered by accessory buildings, shall be cement paved; that the pumps shall not be nearer than 15 ft. to the street building line; that the curb cuts shall not exceed two, not exceeding 30 ft. in width each; that along the southerly lot line from the street line of the Concourse to the wall of the accessory building, there can be constructed a wall or a facing of existing party wall, agreeing in design with the accessory building, for a height not less than 8 ft.; that no signs shall be erected other than permanent signs attached to the facade of the accessory building and illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the construction within the building line of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that no automobile repairing shall be carried on and no parking or storage of cars other than those being serviced; that the revised plans marked 'Received May 19, 1939', are hereby *approved* as in substantial compliance with the requirements of this resolution and that such plans shall be carried out as to arrangement and material shown to be used; that such approval shall not be deemed to disregard additional conditions of this resolution where same are not covered by these plans; that mechanical ventilation shall be provided in connection with the greasing pits from below the main greasing room floor, ventilated to the outer air; that the motor used in connection with the blower shall be of the sparkproof, enclosed type and that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

Resolved further, that the plans marked 'Received July 3, 1939' are hereby *approved* as meeting the general requirements of this resolution and permitting the retaining wall to be constructed of rubble stone, in view of the approval of such construction by the Chief Engineer of the New York Central Railroad."

CASES DISMISSED

Under the Building Zone Resolution

The chairman called attention to the following cases where notices of intention to appeal were offered for filing; but where, despite notices from this office, papers have not been completed:

(113-38-BZ)

Filed February 23, 1938—Premises: 4300 Broadway and 663 West 183rd street, northeast corner (Block No. 2164, Lot Nos. 38,

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39 and 40), Borough of Manhattan. Decisions of the borough superintendent of buildings. Applicant: Arthur Balley, lessee, for Keppler Co., Inc., owner. Dismissed for lack of prosecution.

(487-38-BZ)

Filed June 14, 1938—Premises: 4857-4859 Broadway, north side, 200 ft. east of Academy street (Block No. 2238, part of Lot No. 33), Borough of Manhattan. Decision of the borough superintendent of buildings. Applicant: Harrison L. Brandt, for Celia Dowd, owner. Dismissed for lack of prosecution.

(136-39-BZ)

Filed February 3, 1939—Premises: 25-21 23rd Street, east side, 151.95 ft. south of 25th avenue (Block No. 872, Lot No. 36), Long Island City, Borough of Queens. Decision of the borough superintendent of buildings. Applicant: Oswald Fischer, for Astlic Realty Corp., owner. Dismissed for lack of prosecution.

(197-39-BZ)

Filed February 21, 1939—Premises: 150-47 12th road, northwest corner of Cross Island boulevard (Block No. 413, Lot No. 39), Whitestone, Borough of Queens. Decision of the borough superintendent of buildings. Applicant: Harry Scala, for Louise DeVito, owner. Dismissed for lack of prosecution.

(249-39-BZ)

Filed February 28, 1939—Premises: 84-11 to 84-21 Astoria boulevard, and 24-02 to 24-12 85th street, northwest corner, and 84-12 to 84-20 24th avenue (Block No. 1096, Lot No. 1), Jackson Heights, Borough of Queens. Decision of the borough superintendent of buildings. Applicant: Lama & Proskauer, for the Koppers Company, owner. Dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

WHEREAS, the foregoing applicants have filed with the Board of Standards and Appeals applications under the building zone resolution, affecting the premises in question; and

WHEREAS, the applicants have failed to complete their papers though duly notified to do so; and

WHEREAS, the applicant in each application was duly notified that the application was to be considered at this meeting for dismissal, but made no appearance.

Resolved, that these applications be and they hereby are dismissed for lack of prosecution.

APPEALS FROM ADMINISTRATIVE DECISIONS

456-22-A.

APPLICANT—Irving A. Oremland, for Benjamin Chamich and Hyman Youberg, lessees.

SUBJECT—Application for consideration—reopening and

amendment re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—47-49 Mercer street, west side, 124 ft. north of Grand street (Block No. 474, Lot No. 87), Borough of Manhattan.

APPEARANCES—

For Applicant: Irving A. Oremland.

For Administration: Inspector Mahier, Fire Department.

ACTION OF BOARD—Application for reopening denied. THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

752-39-A.

APPLICANT—Triangle Steel Products Corporation, lessee, for Max Dorf, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—245 Russell street, northwest corner of Meserole street (Block No. 2628, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. M. Seer.

ACTION OF BOARD—Appeal reopened and set for hearing September 26, 1939 at 2 P. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

914-39-A.

APPLICANT—Ferdinand Savignano, for Victoria Cuartopiede, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1463 56th street, north side, 150 ft. west of 15th avenue (Block No. 5685, Lot No. 47), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Lieberman.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(914-39-A)

WHEREAS, Ferdinand Savignano, for Victoria Cuartopiede, owner, filed July 7, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 1463 56th street, north side, 150 ft. west of 15th avenue (Block No. 5685, Lot No. 47), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 2708-39, dated July 5, 1939, reads:

"Proposed change of occupancy of frame building from one family to two families with living rooms on more than two stories is contrary to Sec. 2.1.3.5 and Sec. 8.7.2.1 of Bldg. Code, therefore application disapproved."

and

WHEREAS, the building is 2 stories and attic (27 ft.) in height, 25 ft. by 33 ft. in area, on a lot 50 ft. by 100 ft. 2½ in. of frame (Class 4) construction, located in a resi-

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dence use district, erected in 1914 and occupied as a dwelling; and

WHEREAS, the applicant contends that the two rooms in the attic have been in use since the building was erected; that these rooms will be occupied in conjunction with the second floor apartment; that no cooking will be done in the attic; that it is proposed to provide a second means of egress for the attic by means of a fire-escape and drop ladder in guides.

Resolved, that the decision of the acting borough superintendent on Alt. Applic. No. 2708-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the building to be occupied by not more than two families, one occupying the 1st floor and one the second floor and attic, *on condition* that the owner shall file with the borough superintendent an agreement that at no time shall the building be occupied by more than two families; that no cooking shall be carried on in the attic; that there shall be provided a second means of exit from the attic story, which may be by exterior fire escape or steel ladder reaching to a landing or extension at the second story level and thence by counterbalanced ladder or drop ladder to grade; that the building shall not be increased in height or area other than as to the proposed porch and that the size of the lot shall not be reduced; that in all other respects as to the construction and occupancy, the building shall comply with all laws, rules and regulations applicable thereto.

917-39-A.

APPLICANT—Robert A. Fash, for Pease and Elliman, Inc., agents for 650 Madison Avenue Corporation, owner (United Cigar Whelan Stores Corporation, lessee).

SUBJECT—Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—632 Madison avenue and 21 East 59th street, northwest corner (Block No. 1374, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Robert A. Fash.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(917-39-A)

WHEREAS, Robert A. Fash, for Pease and Elliman, Inc., agents, for 650 Madison Avenue Corporation, owner (United Cigar Whelan Stores Corporation, lessee), filed July 7, 1939, an appeal from an order and a decision of the borough superintendent of buildings, affecting premises 632 Madison avenue and 21 East 59th street, northwest corner (Block No. 1374, Lot No. 14), Borough of Manhattan; and

WHEREAS, violation order 5901-38 of the borough superintendent, dated January 3, 1939, reads:

"In that of maintaining an electric sign at the first story parallel with the front wall and extending about 3 in. beyond the building line, contrary to law."

and

WHEREAS, said order was referred to in a decision of the borough superintendent, dated June 20, 1939; and

WHEREAS, the building is 2 stories (25 ft.) in height, 200 ft. by 100 ft. in area, of fireproof construction, located in a business use district, erected in 1930, and occupied: Cellar—storage; 1st floor—stores and theatre; 2nd floor—offices, for which certificate of occupancy No. 20777 was

issued. There is a sign on front wall projecting beyond building line; and

WHEREAS, the applicant contends that no permit was obtained for the erection of the sign; that upon receipt of the violation, inspection was made to determine if the sign could be recessed within the face of the building, but due to structural conditions, it was found to be impossible; that the sign projects a maximum of 1¾ in. beyond the building line; that a hardship will be imposed upon the owner if the sign has to be removed, as the projection is slight and covers only a small portion of the total frontage.

Resolved, that the decision of the borough superintendent as to Violation No. 5901-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sign does not extend beyond the building line for a distance of more than 2 inches at any point; and that in all other respects it meets all the requirements applicable thereto.

918-39-A.

APPLICANT—Saul Goldsmith, for Parksand Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—64-88 Nostrand avenue and 563-569 Park avenue, northwest corner (Block No. 1718, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: Peter Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(918-39-A)

WHEREAS, Saul Goldsmith, for Parksand Realty Corporation, owner, filed July 7, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 64-88 Nostrand avenue and 563-569 Park avenue, northwest corner (Block No. 1718, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 1138-LF, dated August 15, 1938, reads:

"4. Replace missing iron shutters with proper iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30' from any opening in any other building and not in the same plane with said openings and which are not more than 50' above a neighboring roof at north side of building, or other approved protection. 491.2-2-2.0 Administrative Code of the City of New York."

and

WHEREAS, the above order was referred to in a decision of the fire commissioner dated July 7, 1939; and

WHEREAS, the building is 3 stories and basement (40 ft.) in height, 278 ft. 5 in. by 100 ft. in area, of non-fireproof (Class 3) construction, located in an unrestricted use district, erected in 1860, and occupied as a factory with 20 persons in the basement, 30 persons on the 1st floor, 100 persons on the 2nd floor and 50 persons on the 3rd floor; and

WHEREAS, the applicant contends that the building is equipped with a two source sprinkler system with central office connection; that the windows on the north wall of the building, to which the order refers, face on a side yard, 20 ft. wide, belonging to the same owner; that the building to the north has fireproof windows and is equipped with a sprinkler system.

Resolved, that the order of the Fire Commissioner, No. 1138-LF, be and it hereby is *modified* and that the appeal be

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and it hereby is *granted* as long as the windows in the adjoining building across the yard remain fireproof, self-closing, glazed with wire glass and both buildings are protected with a sprinkler system maintained in accordance with the requirements and satisfactory to the fire commissioner; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

919-39-A.

APPLICANT—Ely Jacques Kahn, for Freya Inc., owner (Branlou Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—121 West 42nd street, north side, 249 ft. 11¾ in. west of Sixth avenue and 118-122 West 43rd street (Block No. 995, Lot Nos. 22, 42 and 44), Borough of Manhattan.

APPEARANCES—

For Applicant: Ivan Kittelson.

For Administration: Fred Dahlem, Department of Housing and Buildings, Peter Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(919-39-A)

WHEREAS, Ely Jacques Kahn, for Freya, Inc., owner (Branlou, Inc., lessee), filed July 7, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 121 West 42nd street, north side, 249 ft. 11¾ in. west of Sixth avenue and 118-122 West 43rd street (Block No. 995, Lot Nos. 22, 42 and 44), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on F.P. Permit No. 447-39, dated July 5, 1939, reads:

"1. Since C26-746.0, subd. 2-a states in part: 'Separate and distinct standpipe risers shall be provided on every floor and tier . . .'; it follows that the system herein proposed has more than 1 riser, hence must have a 5" siamese, a 5" cross-connection (sec C26-1397.0, subd. g, Adm. Code), and tank of at least 5,000 gallon capacity. See (C26-1407.0, subd. d3, Adm. Code).

2. Provide an approved 250 gallon per minute fire pump as per C26-746.0, subd. 2a and b, Adm. Code." and

WHEREAS, the proposed building will be one story and balcony (45 ft.) in height, 20 ft. and 64 ft. 3 in. by 200 ft. in area, of fireproof construction equipped with a standpipe system located in a retail use district and occupied: Cellar—theatre lounge and equipment; 1st floor—theatre, lobby and store—581 persons; balcony—274 persons; and

WHEREAS, the applicant contends that the proposed standpipe system consists of one main riser extending from house tank to basement ceiling, thence along ceiling with cross connection to two siamese connections, one located on West 42nd street and the other on West 43rd street; that four hose branch connections are extended from the basement cross connection, one to basement hose valve, two to orchestra and one to the balcony; that the main riser has but one hose connection; that in view of the fact that no vertical riser has more than one hose connection and no branch exceeds 20 ft. in length, it is respectfully requested that the proposed system be classified as a single riser system with 3,500 gallon roof tank filled by automatic pump having a capacity of 65 gallons per minute.

Resolved, that the decision of the borough superintendent on F. P. Permit No. 447-39, be and it hereby is *modi-*

fied and that the appeal be and it hereby is *granted*, permitting the standpipe tank to be installed with a capacity of 3,500 gallons and the omission of the fire pump, *on condition* that the standpipe system shall meet the requirements of the standpipe rules of the building code in all other respects; and *granted* only so long as the building is continued as a motion picture theatre.

923-39-A.

APPLICANT—William A. Lacerenza, for Pasquale Apicella, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—176 Fifth avenue, west side, 119 ft. 6 in. north of Sackett street (Block No. 949, Lot No. 47), Borough of Brooklyn.

APPEARANCES—

For Applicant: William A. Lacerenza.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(923-39-A)

WHEREAS, William A. Lacerenza, for Pasquale Apicella, owner, filed July 7, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 176 Fifth avenue, west side, 119 ft. 6 in. north of Sackett street (Block No. 949, Lot No. 47), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, dated July 5, 1939, reads:

"Your request of June 28th, that I revoke Certificate of Occupancy No. 81430, premises 176 5th avenue, on the grounds that the certificate was issued on an alteration intended only as a temporary expedient, is hereby denied. The authority to revoke a certificate of occupancy is vested in the Board of Standards and Appeals."

and

WHEREAS, the building is 4 stories (45 ft. 6 in.) in height, 21 ft. by 60 ft. 6 in. in area, of Class 3 construction, located in a business use district, erected prior to 1901 and occupied: Cellar, storage; 1st floor, store; 2nd floor, residence used by caretaker; 3rd and 4th floors, residences vacant; and

WHEREAS, the applicant contends that Certificate of Occupancy No. 81430-37 should be revoked on the ground that it was issued as a temporary expedient and at the time of its issuance the building was arranged in a tentative design for occupancy as a multiple dwelling and certificate of occupancy in question should not have been issued.

Resolved, that the decision of the acting borough superintendent dated July 5, 1939, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, revoking Certificate of Occupancy No. 81430 and the alteration permit under which the work was done, upon which the said certificate was based.

932-39-A.

APPLICANT—Arthur Goodfriend, for Wellmade Construction Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—209-12, 209-16 and 209-20 116th road, southwest corner of Springfield boulevard and south side of 116th road, 40.03 ft. and 80.03 ft. west of Springfield boulevard (Block No. 13763, Lot Nos. 24-29 inclusive), St. Albans, Borough of Queens.

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APPEARANCES—

For Applicant: William E. Kennedy and Arthur Goodfriend.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(932-39-A)

WHEREAS, Arthur Goodfriend, for Wellmade Construction Co., Inc., owner, filed July 11, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 209-12, 209-16 and 209-20 116th road, southwest corner Springfield boulevard and south side 116th road, 40.03 ft. and 80.03 ft. west of Springfield boulevard (Block No. 13763, Lot Nos. 24-29, inclusive), St. Albans, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N. B. Applic. Nos. 5652, 5653, 5654-39, dated July 6, 1939, reads:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2, Building Code."

and

WHEREAS, the premises consist of a plot fronting 120 ft. on 116th road and 100 ft. in depth, located partly in a business and partly in a residence use "D" area district, upon which it is proposed to erect three 1-story, 1-family frame dwellings, 23 ft. in height, 25 ft. by 38 ft. in area and three private garages, as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that there are sufficient stores in the neighborhood; that the character of the neighborhood warrants only the construction of frame dwellings of the type as proposed.

Resolved, that the decision of the borough superintendent on Applic. Nos. 5652, 5653 and 5654-39, be and it hereby is *modified* and that the appeal be and hereby is *granted* so as to permit the erection of the frame residential buildings as proposed, *on condition* that in all other respects they shall meet the requirements of the Building Code for buildings erected outside the fire limits and also the requirements of the Zoning Resolution, except that on all interior lots, one side yard may be 5 feet in width and on the corner building one side yard may be 5 feet in width and one side yard along Springfield boulevard 10 feet in width; that a garage for each building may be constructed as accessory thereto, not nearer to any rear or side lot line than 2 feet; that the buildings shall be brick-veneered up to the plate line; that the garage shall be of similar construction and all roofs shall be surfaced with natural slate or approved asphalt shingles; that each building shall be for the residence use only and for one family only.

933-39-A.

APPLICANT—Arthur Goodfriend, for Wellmade Construction Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—209-11, 209-15 and 209-19 116th road, northwest corner of Springfield boulevard and north side of 116th road, 40.03 ft. and 80.03 ft. west of Springfield boulevard (Block No. 13763, Lot Nos. 34-39 inclusive), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: William E. Kennedy and Arthur Goodfriend.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(933-39-A)

WHEREAS, Arthur Goodfriend, for Wellmade Construction Co., Inc., owner, filed July 11, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 209-11, 209-15 and 209-19 116th road, northwest corner, Springfield boulevard and north side 116th road, 40.03 ft. and 80.03 ft. west of Springfield boulevard (Block No. 13763, Lot Nos. 34-39, inclusive), St. Albans, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. Nos. 5655-5656-5657-39, dated July 6, 1939, reads:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot 120 feet by 100 feet in area, located partly in a business and partly in a residence use "D" area district, upon which it is proposed to erect three one family frame dwellings, one story, 23 ft. in height, 25 ft. by 38 ft. in area and three private garages, as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that there are sufficient stores in the neighborhood; that the character of the neighborhood warrants only the construction of frame dwellings of the type as proposed.

Resolved, that the decision of the borough superintendent on Applic. Nos. 5655, 5656 and 5657-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the erection of the frame residential buildings as proposed, *on condition* that in all other respects they shall meet the requirements of the building code for buildings erected outside the fire limits and also the requirements of the zoning resolution, except that on all interior lots one side yard may be 5 feet in width and on the corner building one side yard may be 5 feet in width and one side yard along Springfield boulevard 10 feet in width; that a garage for each building may be constructed as accessory thereto, not nearer to any rear or side lot line than 2 feet; that the buildings shall be brick-veneered up to the plate line; that the garage shall be of similar construction and all roofs shall be surfaced with natural slate or approved asphalt shingles; that each building shall be for the residence use only and for one family only.

934-39-A.

APPLICANT—Arthur Goodfriend, for Wellmade Construction Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—209-12, 209-16 and 209-20 116th avenue, southwest corner of Springfield boulevard and south side of 116th avenue, 40.03 ft. and 80.03 ft. west of Springfield boulevard (Block No. 13763, Lot Nos. 44-49 inclusive), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: William E. Kennedy and Arthur Goodfriend.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

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THE RESOLUTION—

(934-39-A)

WHEREAS, Arthur Goodfriend, for Wellmade Construction Co., Inc., owner, filed July 11, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 209-12, 209-16 and 209-20 116th avenue, southwest corner of Springfield boulevard and south side 116th avenue, 40.03 ft. and 80.03 ft. west of Springfield boulevard (Block No. 13763, Lot Nos. 44-49 inclusive), St. Albans, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N. B. Applic. Nos. 5658-5659-5660-39, dated July 6, 1939, reads:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot fronting 120 ft. on 116th avenue and 100 ft. on Springfield boulevard, located in a business use "D" area district, upon which it is proposed to erect three one story, one family frame dwellings, 23 ft. in height, 25 ft. by 38 ft. in area and three private garages, as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that there are sufficient stores in the neighborhood; that the character of the neighborhood warrants only the construction of frame dwellings of the type as proposed.

Resolved, that the decision of the borough superintendent on Applic. Nos. 5658, 5659 and 5660-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the erection of the frame residential buildings as proposed, *on condition* that in all other respects they shall meet the requirements of the building code for buildings erected outside the fire limits and also the requirements of the zoning resolution, except that on all interior lots one side yard may be 5 feet in width and on the corner building one side yard may be 5 feet in width and one side yard along Springfield boulevard 10 feet in width; that a garage for each building may be constructed as accessory thereto, not nearer to any rear or side lot line than 2 feet; that the buildings shall be brick-veneer up to the plate line; that the garage shall be of similar construction and all roofs shall be surfaced with natural slate or approved asphalt shingles; that each building shall be for the residence use only and for one family only.

935-39-A.

APPLICANT—Frank S. Parker, for Wamkill Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—330 Whitlock avenue, east side, 163.67 ft. north of East 141st street (Block No. 2599, Lot No. 155), Borough of The Bronx.

APPEARANCES—

For Applicant: Frank S. Parker.

For Administration: M. C. Theide, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(935-39-A)

WHEREAS, Frank S. Parker, for Wamkill Realty Corporation, owner, filed on July 11, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 330 Whitlock avenue, east side, 163.67 ft. north of East 141st street (Block No. 2599, Lot No. 155), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 249-39, dated June 29, 1939, reads:

"25. Provide lawful ventilation for 1st floor trucking space, toilet and shipping office, for mezzanine shower room and 2nd floor toilet and for 2nd floor offices along the north wall. Sec. C26-258.0 to Sec. C26-267.0 Administrative Code. Lot line windows are not lawful for required ventilation."

and

WHEREAS, the building is fireproof, 8 stories (106 ft.) in height, 289.27 ft. by 230 ft. in area; located in an unrestricted use district; erected in 1929; equipped with sprinkler and standpipe systems; occupied: Cellar—storage, boiler room; 1st floor, shipping, storage, 75 persons; 2nd floor, offices, 75 persons; 3rd and 4th floors, factory and warehouse, 75 persons per floor; upper floors, vacant; proposed to be occupied as follows: Cellar—storage, boiler room, 10 persons; 1st floor, shipping, storage, 25 persons; 2nd floor, offices, 300 persons; 3rd, 4th, 5th, 6th, 7th and 8th floors, factory and warehouse, 10 persons per floor. Certificate of occupancy No. 143-30 issued February 11, 1930, was for a five story building, warehouse, factory and offices, all upper floors, 75 persons per floor; and

WHEREAS, the applicant contends that the alteration in question consists of adding four (4) stories to the existing building and a new five story extension on the north; that it is proposed to omit the mechanical ventilation on the first floor trucking space, toilet and shipping offices; for mezzanine shower room; for second floor toilets and second floor offices along north and east exposures; that these spaces are adequately ventilated by windows along the New York Central right of way on the north and the New York, Westchester and Boston right of way on the east; that it is requested that the windows on the railroads right of way be accepted, in lieu of ventilation required by the code.

Resolved, that the decision of the borough superintendent as to Alt. Applic. No. 249-39, as to objection No. 25, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting construction of windows to the north and east facing the rights-of-way of the New York Central Railroad and the New York, Westchester and Boston Railroad, as legal windows complying with all the requirements of the code therefor, as long as such rights-of-way are continued; that in all other respects the occupancy shall comply with all laws, rules and regulations applicable thereto.

939-39-A.

APPLICANT—William J. Minogue, for Hartsdale Gardens, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—711-713 Columbus avenue, east side, 25 ft. 8½ in. south of West 95th street (Block No. 1225, Lot Nos. 62 and 63), Borough of Manhattan.

APPEARANCES—

For Applicant: William J. Minogue.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Absent 0

THE RESOLUTION—

(939-39-A)

WHEREAS, William J. Minogue, for Hartsdale Gardens, Inc., owner, filed July 12, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 711-713 Columbus avenue, east side, 25 ft. 8½ in. south of

MINUTES

West 95th street (Block No. 1225, Lot Nos. 62 and 63), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings re Alt. Application No. 1437-1939, dated June 21, 1939, reads:

"1. Party wall separating buildings may not be removed as same is a fire wall. New shaft enclosure should be of four hour fire-resistive material as shaft is being enlarged. Show all framing supports for floors where walls are removed."

and

WHEREAS, the building is 5 stories (53 ft.) in height, 50 ft. by 63 ft. 3 in. in area of class 3 construction, erected in 1887, in a business use district and occupied: Cellar, storage; first floor, stores and 2 apartments; 2nd floor, 4 apartments; 3rd floor, same; 5th floor, same; proposed to be occupied, cellar, storage; first floor, stores; 2nd to 5th floors, 6 apartments per floor; and

WHEREAS, the applicant contends that the wall in question is a party wall only as to the support for present beams, as it does not continue from front to rear in the cellar and on the first story; that the shaft in question is not a new shaft, but two existing shafts which it is proposed to combine to form a single shaft; that these shafts as now existing, are encased in stud and plaster partitions and it is proposed to fire-retard these partitions; that the proposed condition will be less hazardous than the existing condition and provide additional ventilation for the building; that to change this shaft to require a 4 hour enclosure would constitute an unnecessary hardship.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 1437-1939, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

942-39-A.

APPLICANT—Alfred Benson, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—125-20 150th avenue, southwest corner of 126th street (Block No. 2703, Lot Nos. 36 and 38), South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Alfred Benson and Nathaniel Collier.

For Administration: Aaron Halpern, Department of Housing and Buildings and Harold Klorfein, Park Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(942-39-A)

WHEREAS, Alfred Benson, owner, filed July 12, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises: 125-20 150th avenue, southwest corner of 126th street (Block No. 2703, Lot Nos. 36 and 38), South Ozone Park, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings re violation No. 3015-1938, dated July 5, 1939 reads:

"1. Building 15 ft. high, approved plan calls for 13 ft."

and

WHEREAS, the building is one story (15 ft.) in height, 20 ft. by 60 ft. in area, erected in September, 1938, located in a residence use district and occupied for repairing of truck bodies; and

WHEREAS, appellant contends that when the building was erected the plans called for 13 ft. in height; that the building was constructed to a height of 15 feet; that at the time

of erection, the district was unrestricted and now has been changed to a residence use; that the extra 2 feet space is necessary to permit work on top of a truck.

Resolved, that the decision of the borough superintendent as to violation No. 3015-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted* permitting the additional two feet of increased height as constructed, beyond the height shown on plans approved, *on condition* that in all other respects the building shall meet the requirements as to construction and occupancy of the administrative building code and all other laws, rules and regulations applicable thereto.

943-39-A.

APPLICANT—Arthur O. Lynas, for 200 Madison Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—200-214 Madison avenue, west side, from East 35th street to East 36th street, 13-17 East 35th street and 12-18 East 36th street (Block No. 865, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur O. Lynas, L. I. Reichner and Alfred B. Jones.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(943-39-A)

WHEREAS, Arthur O. Lynas, for 200 Madison Avenue Corporation, owner, filed July 12, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 200-214 Madison avenue, west side, from East 35th street to East 36th street, 13-17 East 35th street and 12-18 East 36th street (Block No. 865, Lot No. 14), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Alt. Applic. No. 1978-39 dated June 27, 1939, reads:

"1. Exits as shown contrary to Art. 7B code Viz: C.1.2.7.3; 6.1.7.3; 6.1.7; 6.1.8.6.7.1 and 6.2.2.6.7.3; 6.4.1.-8.1; 6.4.1.8.2; 6.4.1.11; 6.5B Code; 6.4.12B Code.

Stairways required to roof. Fire tower required."

and

WHEREAS, the building is 25 stories (322 ft.) in height, 197 ft. 6 in. by 220 ft. in area of Class 1 construction, located in an unrestricted and retail use district, equipped with a standpipe system, erected in 1926 and occupied throughout as an apartment hotel with stores on the first story; it is proposed to occupy the building throughout as offices with stores on the first floor; and

WHEREAS, the applicant contends that the easterly 42 feet of the building along Madison avenue was developed as an apartment hotel at the time of erection from second to 9th floors; that economic conditions make it necessary to adapt this space to present rental conditions of the neighborhood; that it will be extremely difficult to provide a fire tower in this space and to provide access through present leased space in the main building fire tower; that the proposed occupancy will be less hazardous than the present occupancy; that the only cooking permitted will be employees cafeteria on the 9th floor; this portion will be sprinklered and cut off from the surrounding area by 6 inch terra cotta partitions placed on both sides and equipped with self closing rolling shutters with fusible links and fire doors.

MINUTES

Resolved, that the decision of the borough superintendent as to Alt. Applic. No. 1978-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the two existing enclosed stairways shall be maintained and each extended to the roof at 9th story level with access therefrom for the full depth of the building on 35th street and 36th street; that the fire alarm system now installed in the building, shall be maintained; that in all other respects the building shall comply as to construction and occupancy with all laws, rules and regulations applicable thereto.

946-39-A.

APPLICANT—William O. Staber, for Rose Buhl, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—29-30 and 29-32 150th street, northwest corner of Bayside avenue (Block No. 4815, Lot No. 30), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William O. Staber and William Buhl.

For Opposition: Harold Klorfein, Department of Parks.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(946-39-A)

WHEREAS, William O. Staber, for Rose Buhl, owner, filed July 13, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 29-30 and 29-32 150th street, northwest corner of Bayside avenue (Block No. 4815, Lot No. 30), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings re N. B. Application No. 5848-5849-39, dated July 11, 1939, reads:

"The erection of a frame building in a business district is contrary to the Code."

and
WHEREAS, the buildings will be two stories (30 ft.) in height, 74 ft. 9 in. by 22 ft. 8 in. in area, erected in a business use "D" area district of Class 4 (wood frame) construction, to be occupied: First floor, dwelling; second floor, dwelling; and

WHEREAS, the applicant contends that it is proposed to erect two frame dwellings on the plot; that due to the original cost of the plot and the necessary carrying charges to date, this is the only development economically feasible; that an attempt was made to use these premises for business use, but such use was protested by the neighbors; that the area in general is improved with dwellings of similar construction; that the proposed buildings will be finished on the exterior with brick veneer to the second floor line, and stucco above; the roof will be surfaced with slate.

Resolved, that the decision of the borough superintendent, on N. B. Applic. No. 5848-5849-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the construction of a frame building, as proposed, *on condition* that each section occupied by two (2) families shall be separated one from the other by a continuous fire wall from the cellar to and through the roof; that in all other respects the building shall comply with all requirements as to construction for a building erected beyond the fire limits; that the building shall not substantially exceed the area as shown on plans filed with this appeal and the design shall be in substantial conformity with design shown;

that the lot shall not be reduced and the building shall not be extended other than as shown on plans filed; that the open spaces on the lot shall at all times remain unbuilt upon; that the requirements of the zone resolution shall be met and the building shall at all times be occupied solely for residential purposes; that the building superintendent, before permitting the work to proceed, shall satisfy himself that no portion of this plot is contained within park property.

949-39-A.

APPLICANT—Edwin W. Kleinert, for Metropolitan Petroleum Corporation, owner.

SUBJECT—Appeal from decisions of the fire commissioner.
PREMISES AFFECTED—Southeast corner of East 136th street and Locust avenue (Block No. 2595, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(949-39-A)

WHEREAS, Edwin W. Kleinert, for Metropolitan Petroleum Corporation, owner, filed July 13, 1939, an appeal from decisions of the fire commissioner affecting premises: southeast corner of East 136th street and Locust avenue (Block No. 2595, Lot No. 1), Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner, dated June 9, 1939, reads:

"In reply to your letter of May 31st, ult., wherein you request reconsideration for the elimination of a requirement providing for the installation of two yard hydrants and necessary appurtenances thereto, at premises 136th street and Locust avenue, Bronx (Bulk oil storage terminal), be advised that this Department is without authority to grant your request."

and

WHEREAS, the decision of the fire commissioner, dated July 13, 1939, is the same as contained in the decision dated June 9, 1939; and

WHEREAS, the buildings are 1 story (12 ft.) in height, 28 ft. by 24 ft., 27 ft. by 34 ft. and 50 ft. by 17 ft. in area, occupied as offices, boiler house and pump house, in connection with a fuel oil storage plant; and

WHEREAS, the applicant contends that the plant is on a plot 440 ft. by 100 ft. in area, and is open on all sides; that the fuel oil storage tanks are underground and will be protected by a carbon dioxide fire extinguishing system approved by the fire commissioner; that only the small brick office building at the extreme corner of the yard will have a wood roof; that the loading racks are of steel and that permission is respectfully requested to omit the yard hydrant system.

Resolved, that the decision of the fire commissioner, dated June 9, 1939, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that in lieu of the required yard hydrants, carbon dioxide fire extinguishers shall be installed and maintained; that such system shall be of the design and capacity as approved by the fire commissioner; that such additional portable fire-fighting appliances shall be installed, as the fire commissioner shall direct.

952-39-A.

APPLICANT—Edwin W. Kleinert, for Ira S. Bushey and Sons, owner (Patchogue Oil Terminals Corporation, lessee).

MINUTES

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—679-723 Court street, southeast corner of Bryant street (Block No. 624, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(952-39-A)

WHEREAS, Edwin W. Kleinert, for Ira S. Bushey and Sons, owner (Patchogue Oil Terminals Corporation, lessee), filed July 13, 1939, an appeal from a decision of the acting borough superintendent of buildings affecting premises: 679-723 Court street, southeast corner of Bryant street (Block No. 624, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent of buildings, re N.B. Application No. 4550-1939, dated July 11, 1939, reads:

"1. Proposals to erect two 80,000 barrel steel fuel oil storage tanks partly below and partly above grade with outer steel tanks in lieu of embankments or dikes for protection, is contrary to Rule 6.3.2 of the Oil Burner Rules adopted by the Board of Standards and Appeals."

and

WHEREAS, the premises consists of a plot 470 ft. by 279 ft. in area located in an unrestricted use district, upon which there are located existing fireproof buildings, erected in 1930; it is proposed to construct on this plot, two 80,000 barrel steel fuel oil storage tanks, partly below and partly above the grade, with outer steel tanks in lieu of embankments or dikes; and

WHEREAS, the applicant contends that the outer steel tank will hold 1½ times the capacity of the storage tanks; that this method of diking is superior to the concrete dikes required by the code, and is far safer; that the foamite system will be designed to extinguish burning oil in the dikes as well as in the tank; that no gasoline will be stored in these tanks; that there will be no buildings within 100 ft. of the tanks, except the small one-story fireproof pump house; and the foamite house.

Resolved, that the decision of the acting borough superintendent on N.B. Applic. No. 4550-39, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

953-39-A.

APPLICANT—Paul Friedman for Greystone Garage Corporation, Sarah Epstein, Angelo Faggiano, Jr., Jacob Goldzand, Bennie Harris, et al, adjoining property owners.

OWNER OF PREMISES—Phylrea Holding Corporation.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings re Revocation of N.B. Permit No. 6081-38 and cancellation of Applic. No. 973-29.

PREMISES AFFECTED—487-493 Utica avenue, east side, 270 ft. north of Rutland road (Block No. 4591, Lot No. 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Owner: Alfred A. Lama.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock and Commissioner Blum 2

Negative: Commissioner Savage and Assistant Chief Walsh 2

Absent 0

THE RESOLUTION—

(953-39-A)

WHEREAS, Paul Friedman, for Greystone Garage Corporation, Sarah Epstein, Angelo Faggiano, Jr., Jacob Goldzand, Bennie Harris, et al. adjoining property owners, filed July 13, 1939, against Phylrea Holding Corporation, owner, an appeal from a decision of the acting borough superintendent of buildings, re. Revocation of Application No. 973-29 and N.B. Permit No. 6081-38 and cancellation of Applic. No. 973-29, affecting premises 487-493 Utica avenue, east side, 270 ft. north of Rutland road (Block No. 4591, Lot No. 58), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent of buildings, July 10, 1939, re. Revocation of Application No. 973-29 and N. B. Permit No. 6081-38, reads:

"This is to acknowledge receipt of your letter of July 7th in regard to the above mentioned premises.

Your request to revoke N.B. No. 6081-38 is hereby denied for the reason that said permit complies with the law."

and

WHEREAS, the building is one (1) story (15 ft.) in height, 80 ft. by 100 ft. in area of ordinary brick construction, located in a business use "C" area district, occupied as a garage for more than five (5) motor vehicles, with the sale of gasoline; and

WHEREAS, the applicant contends that on November 12, 1929, the board, under Cal. No. 250-29-BZ, denied an application for a variance for the erection of a two story public garage, as filed in the Bureau of Buildings under N.B. Applic. No. 973-29; that the board's denial was reviewed by certiorari and reversed and an order entered directing the borough superintendent to issue a permit for the erection of a garage, as shown on plans filed under Applic. No. 973-29 and said application was revived in the building department and permit No. 6081-38 issued June 30, 1938 for a two story public garage, including the installation of two (2) 550 gallon gasoline tanks and two (2) pumps; that the issuance of this permit amounted to the issuance of a permit for a gasoline service station, which is specifically prohibited in a business use district; that on May 5, 1939, Permit No. 6081-38 was amended so as to change the building to a one story building; such amendment was approved on June 22, 1939; that this amendment was at variance with Applic. No. 973-29; that it is requested that this amendment be revoked on the grounds that the application (973-29) which it sought to amend, had lapsed and been abandoned; that this amendment was at variance with the order of the court; and

WHEREAS, the questions presented were whether the borough superintendent of buildings was correct in issuing a permit in variance with the proposal submitted to the board and passed on by the court as to number of stories in the building and the inclusion of a gasoline storage system and also as to time that has elapsed since the court order was issued.

Resolved, that the decision of the acting borough superintendent dated July 10, 1939, be and it hereby is *affirmed* and that the appeal to revoke Applic. No. 973-29 and N.B. Permit No. 6081-38, be and it hereby is *denied*.

954-39-A.

APPLICANT—Harrison Schock, for William A. Heaslip, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

MINUTES

PREMISES AFFECTED—21 Hinckley place, north side, 140 ft. east of East Eighth street (Block No. 5342, Lot No. 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harrison Schock.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(954-39-A)

WHEREAS, Harrison Schock, for William A. Heaslip, owner, filed July 14, 1939, an appeal from a decision of the acting borough superintendent of buildings affecting premises 21 Hinckley place, north side, 140 ft. east of East Eighth street (Block No. 5342, Lot No. 28), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent of buildings, re Alt. Application No. 2630-1939, dated June 28, 1939, reads:

"The moving of a frame building within the fire limits from one location to another location constitutes the erection of a new frame building within the fire limits and therefore is contrary to 4-1-2 of the code."

and

WHEREAS, the building is two stories (18 ft.) in height, of frame construction, 18 ft. 3 in. by 26 ft. 4½ in. in area, erected before 1875, located in a residential use district and occupied as a one family dwelling; and

WHEREAS, the applicant contends the dwelling will be moved from 30-40 Hinckley place, southwest corner Coney Island avenue, to No. 534-544 Coney Island avenue, north side, about 40 feet east of East Eighth street; that no provision is made in the building code for moving existing frame structures from one lot to another within the fire limits; that the distance it is proposed to move the building is approximately 200 feet; that the proposed plot has been in the ownership of the same family for many years; that the reason for moving the building is sentimental; that the building in this proposed location will conform to the building zone resolution.

Resolved, that the decision of the acting borough superintendent, on Alt. Application No. 2630-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall comply in all respects to the requirements of the building code as to frame building erected outside of the fire limits and to all requirements of the zone resolution and all other laws, rules and regulations applicable to the construction and occupancy, except that the existing roof shingles may remain, as permitted by the code, but if replaced, must comply with the requirements of the building code.

955-39-A.

APPLICANT—J. Nelson Cooper for President and Directors of The Manhattan Company, owner (Jamaica Storage Warehouses, Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—93-29 170th street, east side, 78 ft. north of Douglas avenue (Block No. 1177, Lot No. 102), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: J. Nelson Cooper.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(955-39-A)

WHEREAS, J. Nelson Cooper, for President and Directors of The Manhattan Company, owner (Jamaica Storage Warehouses, Inc., lessee), filed on July 14, 1939, an appeal from an order and decision of the Fire Commissioner, affecting premises 93-29 170th street, east side, 78 ft. north of Douglas avenue (Block No. 1177, Lot No. 102), Jamaica, Borough of Queens; and

WHEREAS, Order No. 986-LF issued by the fire commissioner July 28, 1938, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers throughout the entire building and cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, the above order was referred to in a decision of the Fire Commissioner, dated June 29, 1939; and

WHEREAS, the building is fireproof, six stories (64 ft.) in height, 69 ft. 9 in. by 75 ft. in area; located in an unrestricted district; erected in 1925 and occupied: Cellar—heating and storage, 3 persons; 1st floor—office-work space; 2nd floor—storage—household goods; 3rd, 4th, 5th 6th floors—same as 2nd floor, 3 persons on each floor throughout and occupancy is only occasional, there being no persons steadily employed on any floor other than the 1st floor; and

WHEREAS, the applicant contends that the building was erected in 1925 for the present use; all wall openings are provided with fireproof doors; all windows on the lot lines are fireproof; elevator shafts are enclosed in 6-in. hollow tile; that the enforcement of the sprinkler order in question will create an undue hardship.

Resolved, that the order of the fire commissioner, No. 986-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that such portable fire-fighting appliances shall be installed throughout the building, as the fire commissioner shall direct.

956-39-A.

APPLICANT—John F. Meehan, for Sinclair Refining Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—158-162 Southern boulevard, east side, 21.28 ft. south of East 135th street (Block No. 2563, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: John F. Meehan and James Cole.

For Opposition: Harold Klorfein, Dept. of Parks.

For Administration: M. Thiede, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(956-39-A)

WHEREAS, John F. Meehan, for Sinclair Refining Company, owner, filed on July 14, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 158-162 Southern boulevard, east side, 21.28 ft. south of East 135th street (Block No. 2563, Lot No. 1), Borough of The Bronx; and

MINUTES

WHEREAS, the decision of the borough superintendent, re Ground Sign Applic. No. 75-39, dated July 13, 1939, reads:

"1. Ground sign shall not extend more than 24 ft. above the ground at any point. Sec. B-26.10.0 of the Administrative Code."

and

WHEREAS, the premises consist of a plot 94.24 ft. by 47.18 ft. in area, located in an unrestricted use district, upon which it is proposed to erect a ground sign 50 ft. in width by 70 ft. in height; and

WHEREAS, the applicant contends that the actual sign space measures 50 ft. by 30 ft.; that the sign will be supported on latticed trusses 40 ft. in height anchored into concrete piers; that the face of the sign will be secured by metal clips fastened to the steel framing; that if the height of the sign is limited to 24 ft. in height, it will not be visible to the traffic on Major Deegan boulevard at this point, because of the difference in elevation of the streets.

Resolved, that the decision of the borough superintendent, re Ground Sign Applic. No. 75-39, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

957-39-A.

APPLICANT—Arthur F. Winter, for F. W. Woolworth Company, lessee (Weinbach Improvement Company, owner).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—2101-2109 86th street and 8513-8523 21st avenue, northeast corner (Block No. 6347, Lot Nos. 1, 75 and 76), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(957-39-A)

WHEREAS, Arthur F. Winter, for F. W. Woolworth Company, lessee (Weinbach Improvement Company, owner), filed on July 14, 1939, an appeal from an order and decision of the fire commissioner, affecting premises 2101-2109 86th street and 8513-8523 21st avenue, northeast corner (Block No. 6347, Lot Nos. 1, 75 and 76), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 2743-LF, dated May 10, 1939, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 16, Administrative Code."

and

WHEREAS, the above order was referred to in a decision of the fire commissioner, dated June 15, 1939; and

WHEREAS, the building is non-fireproof, two stories (15 ft. and 29 ft.) in height, 80 ft. by 90 ft. in area; located in a business use district and occupied: Cellar—stockroom; 1st floor, store; 2nd floor, offices and apartments; and

WHEREAS, the applicant contends that the cellar and 1st floor are occupied by the usual 5 and 10c store occupancy; that the building is adequately provided with exits and ventilation; that the amount of celluloid merchandise in the basement is approximately .07 of 1% of the entire stock; that all aisles are 3 ft. wide and are kept clear at all times; that the basement ceiling is fire retarded and all partitions in the basement are fireproof.

Resolved, that the order of the fire commissioner, No. 2743-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be

installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25% in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under fire department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 inches above the sidewalk and that the cap of this hose inlet and sign stating area covered, shall be painted aluminum.

959-39-A.

APPLICANT—Cross and Brown, for Metropolitan Life Insurance Company, owner (Janssen Piano Company, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—119-121 West 57th street, north side, 246 ft. west of Sixth avenue and 124-128 West 58th street (Block No. 1010, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: E. D. Bloodgood.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(959-39-A)

WHEREAS, Cross and Brown, for Metropolitan Life Insurance Company, owner (Janssen Piano Company, lessee), filed July 14, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 119-121 West 57th street, north side, 246 ft. west of Sixth avenue and 124-128 West 58th street (Block No. 1010, Lot No. 21), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 1945-39, dated June 26, 1939, reads:

"1. It is unlawful to place openings to any store in the enclosure walls surrounding passageways leading to a required means of egress, Sec. 6.3.1-e. Designate on the plan whether the store is equipped with a sprinkler system.

2. Steps within the required passageway may not be permitted."

and

WHEREAS, the building is 14 stories and penthouse (160 ft.) in height, 46 ft. (57th street), 50 ft. (56th street) by 200 ft. 10 in. in area, of Class 1 construction, located in a restricted retail use, "B" area district, erected in 1925, and occupied: Cellar—locker rooms and storage—35 persons; 1st floor—stores—70 persons; mezzanine—offices—10 persons; 2nd to 14th floors—offices—70 persons on each floor; penthouse—offices—40 persons, for which certificate of occupancy No. 23168 was issued; and

WHEREAS, the applicant contends that the proposed new opening between store and lobby at the 57th street end of the building is required by a proposed lease of the major portion of the second floor to the present occupant of the 57th street store for occupancy for showroom purposes in

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the store and offices on the 2nd floor; that the new opening will provide a convenient passage between the store premises and the 2nd floor without the necessity of going outside the building or using existing basement service stair; the installation of an accommodation stair or private elevator is impractical as the total run of the accommodation stair would be excessive, as the store has an unusually high ceiling; that the building code in force at the time of the erection of the building would have permitted the construction as proposed; that the installation of one tread and riser within the limits of the building corridor should not be construed as an encroachment on the affected area of the required passageway; that it would be a hardship on the owner not to be permitted to make the alteration as proposed.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 1945-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted* permitting the entrance from the public hall to store, as proposed, *on condition* that any stairs required to equalize the level shall be so constructed as not to encroach on the net required space of the hallway and provided proper guard rails are constructed on each side of such space and from the northerly side of such space to the existing doorway of the building stairway.

961-39-A.

APPLICANT—William M. Adelman, for Cunningham Park Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—80-11 189th street, east side, 80 ft. south of Union Turnpike (Block No. 7267, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William M. Adelman.

For Administration: Aaron Halpern, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(961-39-A)

WHEREAS, William M. Adelman, for Cunningham Park Building Corporation, owner, filed July 17, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 80-11 189th street, east side, 80 ft. south of Union turnpike (Block No. 7267, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N. B. Applic. No. 5315-39, dated July 11, 1939, reads:

"The erection of a frame building in the fire limits is contrary to sec. 4.2.1 of the Building Code."

and

WHEREAS, the premises consists of a plot 40 ft. by 100 ft. in area; located in a business and residence use "D" area district, upon which it is proposed to erect a 2-story frame dwelling, 24 ft. in height, 25 ft. by 28 ft. in area and a private garage; and

WHEREAS, the applicant contends that the building will be surfaced on the exterior with 4-inches of brick on the 1st story and cement and stucco or brick on the 2nd story; that the roof will be surfaced with slate; that the entire area will be developed with buildings of similar character.

Resolved, that the decision of the borough superintendent, on N. B. Applic. No. 5315-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the erection of a frame building, as proposed, *on condition* that same meet all requirements for a frame building

erected outside of the fire limits; that the building shall comply with the requirements of the "F" residential zone, except that one yard need be only 4 ft. 6 in. in width and the other side yard 7 ft. 6 in. in width; that the building shall be occupied for residence purposes only, as residence for a single family; that the exterior of the building shall be constructed on the facade with masonry up to the height of the 1st story; that the roof shall be surfaced with slate or approved shingles; that there may be erected in the rear a private garage as accessory to the residence, provided such building is constructed similar to the house and is not nearer than 2 ft. to the interior or rear lot lines; that the plots to the north, toward Union turnpike, shall be developed with residential uses only.

965-39-A.

APPLICANT—Edwin W. Kleinert, for Anna Gordon, owner (Miller School, lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—66 87th street, south side, 325 ft. east of Narrows avenue (Block No. 6064, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(965-39-A)

WHEREAS, Edwin W. Kleinert, for Anna Gordon, owner (Miller School, lessee), filed July 17, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 66 87th street, south side, 325 ft. east of Narrows avenue (Block No. 6064, Lot No. 19), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 2738-39, dated July 17, 1939, reads:

"1. Proposed occupancy in non-fireproof structure over 2 stories high is contrary to Section 4.2.1 (2) Sec. C-26-254.0 Bldg. Code.

2. Proposed outside stairs is contrary to section 6.1.2.2.3 (b) Sec. C26-273."

and

WHEREAS, the building is two stories and attic (25 ft. 4 in) in height, 35 ft. 4 in. by 41 ft. 10 in. in area, of class 3 construction, located in a residence use district, erected in 1909, and occupied as a two family dwelling, it is proposed to change the occupancy to a private school, with principal's apartment in the attic story; and

WHEREAS, the applicant contends the building is entirely detached; that the main stairs and hall are so constructed so as to be almost impossible to fire retard, and it is therefore proposed to provide a safer and more practical method of exit, by installing outside steel stairs from the existing fire proof roof of the porch to the ground; that the proposed arrangement is safer than complying with the strict letter of the law.

Resolved, that the decision of the acting borough superintendent, on Alt. Applic. No. 2738-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Objections No. 1 and 2, so as to permit the occupancy of the building as proposed, as a day school only, with no roomers, with a single apartment in the attic story for the principal, *on condition* that the cellar ceiling shall be protected with plaster board not less than ½ inch in thickness; that there shall be installed throughout the cellar, a sprinkler

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system which may be connected to the domestic water supply of the building and not requiring a siamese connection or fire alarm system in connection therewith; that the cellar stairs to the 1st floor shall be enclosed in fire-retarded partition with fireproof self-closing door at either the foot or the top; than an exterior steel stairway, as proposed, shall be constructed from the fireproof porch roof to grade, as shown on plans filed with this appeal; that no portion of the building above the 2nd floor shall be used for classroom purposes; that the building shall not be further increased in height or area and the lot shall not be reduced; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that the occupancy of each floor shall not exceed at any time, 25 persons to the floor; that at all times during the school hours, the building shall be under the supervision of responsible instructors and that fire drill of the students shall be periodically maintained; that a signal gong shall be provided in connection therewith; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

966-39-A.

APPLICANT—Aetna Steel Products Corporation, for Board of Education, City of New York, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—610-652 Henry street, west side, 106 ft. 13/8 in. north of Cole street (Block No. 369, Lot Nos. 1-46 inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. Jaffe and W. J. Williams.
For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(966-39-A)

WHEREAS, Aetna Steel Products Corporation, for Board of Education, City of New York, owner, filed July 17, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 610-652 Henry street, west side, 106 ft. 13/8 in. north of Cole street (Block No. 369, Lot Nos. 1-46 inclusive), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, dated July 14, 1939, reads:

"This department is in receipt of your communication of recent date, in which you request that I approve certain fireproof doors to be installed in the proposed Public School No. 142, Borough of Brooklyn.

As you no doubt are aware, it is not within my province to approve these doors. They must be approved and accepted by the Board of Standards and Appeals before I can permit the acceptance of same in this Borough.

I am herewith returning to you specifications and details which were enclosed in your recent correspondence."

and

WHEREAS, the proposed building will be five story (76 ft.) in height, 330 ft. 3 in. by 114 ft. in area, of fireproof construction located in a residence and business use district, to be occupied as a public school; and

WHEREAS, it is proposed to install Aetna one-hour test doors which are not of approved type; and

WHEREAS, the applicant contends that it is proposed to make tests, so as to submit to the board an application for the general approval of the doors in question; that

pending such approval, permission is requested to install these doors in this specific installation; that the doors are constructed pursuant to specifications and detail drawings, copies of which are filed with this appeal and that these doors were previously approved by the Board of Buildings.

Resolved, that the decision of the acting borough superintendent dated July 14, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the door in question, if constructed in accordance with the plans filed herein, to be accepted as a one-hour fire test door for use in Public School 142; that such glass as is installed in any door shall be in accordance with the requirements of the Building Code therefor, Section C26-668.0.

967-39-A.

APPLICANT—Aetna Steel Products Corporation, for Board of Education, City of New York, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—769-827 Empire boulevard, north side, 100 ft. east of Troy avenue (Block No. 1423, Lot Nos. 14, 15, 16, 19, 20, 21, 22, 35, 41, 43, 45, 47, 49, 50, 51, 52, 55 and 63), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. Jaffe and W. J. Williams.
For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(967-39-A)

WHEREAS, Aetna Steel Products Corporation, for Board of Education, City of New York, owner, filed July 17, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 769-827 Empire boulevard, north side, 100 ft. east of Troy avenue (Block No. 1423, Lot Nos. 14, 15, 16, 19, 20, 21, 22, 35, 41, 43, 45, 47, 49, 50, 51, 52, 55 and 63), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, dated July 14, 1939, reads:

"This department is in receipt of your communication of recent date, in which you request that I approve certain fireproof doors to be installed in the proposed Public School No. 221, Borough of Brooklyn.

As you no doubt are aware, it is not within my province to approve these doors. They must be approved and accepted by the Board of Standards and Appeals before I can permit the acceptance of same in this Borough.

I am herewith returning to you specifications and details which were enclosed in your recent correspondence."

and

WHEREAS, the proposed building will be 4 stories (62 ft.) in height, 299 ft. 7 in. by 60 ft. 2 in. in area, of fireproof construction, located in a residence and business use district, and occupied as a public school; and

WHEREAS, it is proposed to install Aetna one-hour test doors which are not of approved type; and

WHEREAS, the applicant contends that it is proposed to make tests, so as to submit to the board an application for the general approval of the doors in question; that pending such approval, permission is requested to install these doors in this specific installation; that the doors are constructed pursuant to specifications and detail drawings, copies of which are filed with this appeal and that these doors were previously approved by the Board of Buildings.

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Resolved, that the decision of the acting borough superintendent, dated July 14, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the door in question, if constructed in accordance with the plans filed herein, to be accepted as a one-hour firetest door for use in Public School No. 221; that such glass as is installed in any door shall be in accordance with the requirements of the building code therefor, Section C26-668.0.

968-39-A.

APPLICANT—Joseph Kleinberger, for Eugene A. Hoffman Estate, owner (Bryant Park Building, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—47-65 West 42nd street, northeast corner of Sixth avenue (Block No. 1258, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Kleinberger.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(968-39-A)

WHEREAS, Joseph Kleinberger, for Eugene A. Hoffman Estate, owner (Bryant Park Building, Inc., lessee), filed July 17, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 47-65 West 42nd street, northeast corner of Sixth avenue (Block No. 1258, Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated July 11, 1939, reads:

"This refers to your letter of July 11th in which you ask our approval of an exit change as indicated on accompanying sketch.

This department denies approval as the proposed layout indicates fire tower stair terminating a few feet back from the street."

and

WHEREAS, the building is 15 stories (180 ft.) in height, 208 ft. by 100 ft. 5 in. in area, of fireproof construction, located in a business use district, erected in 1906, and occupied: Sub-cellar—vacant; cellar—stores and storage—200 persons; 1st floor—stores—150 persons; 2nd to 15th floors inclusive—offices, 100 persons per story; for which certificate of occupancy No. 11956, dated December 29, 1926, was issued; and

WHEREAS, the applicant contends that due to the construction of a mezzanine and station for the Sixth Avenue subway, it was necessary to remove the sidewalk elevator and vault space and it is now proposed to locate the sidewalk elevator inside the building line as indicated on plan filed with this appeal; that the floors and ceiling adjoining this stairway in question are of concrete, and the enclosing walls of 8-inch brick; that show window space will be protected with sprinklers, and respectfully requests permission to construct the termination of the fire tower stairs back from the street as proposed.

Resolved, that the decision of the borough superintendent, dated July 11, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, so as to permit the proposed alteration to the exit doors at the street level of the existing fire tower, as shown on plans filed with this appeal, *on condition* that the show window glass along the line of this exit shall be not less than ½-inch thick plate glass and that sprinkler heads which may be connected with the domestic water supply system or with

the existing sprinkler system in the cellar of the building shall be installed in the show windows fronting thereon; that in all other respects the fire tower stairway shall comply with all the requirements therefor.

971-39-A.

APPLICANT—Lloyd S. Tressel, for B. Altman and Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—351-367 Fifth avenue, 188-198 Madison avenue, 3-19 East 34th street and 2-18 East 35th street (Block No. 864, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Lloyd S. Tressel.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(971-39-A)

WHEREAS, Lloyd S. Tressel, for B. Altman and Company, owner, filed July 17, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 351-367 Fifth avenue, 188-198 Madison avenue, 3-9 East 34th street and 2-18 East 35th street (Block No. 864, Lot No. 1), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 12491-LC, dated April 20, 1938, reads:

"3. Cut off elevators from area direct air conditioned. NOTE: Applies to 2nd floor east.

4. Provide doors to rooms direct air conditioned to separate area from open stairs and elevator shafts. NOTE: Applies to 2nd floor east.

5. Cut off all elevator shafts leading into refrigerating machinery rooms. NOTE: Applies to 12th floor (kitchen)."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated June 22, 1939; and

WHEREAS, the building is 8 and 13 stories (198 ft.) in height, 197 ft. 6 in. by 420 ft. in area, of fireproof construction; equipped with sprinkler and standpipe systems; located in a restricted retail use district; erected in 1906; occupied throughout as a department store; and

WHEREAS, the applicant contends that the air-conditioned area is separated from the balance of the floor by fireproof partitions and the refrigerating machinery room is separated from the air-conditioned area by fireproof and vapor-tight walls, doors and partitions; that the two elevators facing the entrance lobby to Beauty Salon are those that are required to be cut off from the air conditioned area; that the air conditioning system was operated as originally installed for one year under permit from the fire department, which permit has since been rescinded; that to comply with the order, the owner would be compelled to go to excessive expense to build a vestibule, redecorate and paint and the construction if such a vestibule would create an accident hazard and make access to other parts of the store difficult for customers; that arrangements have been made to remove the direct system of air-conditioning from this area and replace it with an indirect cooling at the end of the summer season; that as to Item 5 of the order, there are three Class C systems containing approximately 12 lbs. of Freon, each; two of these systems are 1 h.p. and one ¾ h.p.; that the refrigerating machines are enclosed in 12 gauge steel partitions with small louvers at floor line for ventilation, each machine being at a window 40 sq. ft. in area; that the entire kitchen area is

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mechanically ventilated, air being supplied and exhausted at the rate of 24,000 cubic feet per minute.

Resolved, that the order of the fire commissioner, No. 12491-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to the 12th floor, *on condition* that in all other respects the refrigerating system shall be maintained to the satisfaction of the fire commissioner and that natural ventilation by means of exterior windows shall be maintained; as to the 2nd floor, that the existing partitions shutting off the space now air conditioned from the balance of the 2nd floor, shall remain and doors therein made reasonably tight closing.

975-39-A.

APPLICANT—Croker Fire Prevention Corporation, for United States Trust Company of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—93-97 Broad street and 57 Pearl street, northeast corner and 22 Stone street (Block No. 29, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Peter Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(975-39-A)

WHEREAS, Croker Fire Prevention Corporation, for U. S. Trust Company of New York, owner, filed July 18, 1939, an appeal from an order and decision of the fire commissioner, affecting premises: 93-97 Broad street and 57 Pearl street, northeast corner, and 22 Stone street (Block No. 29, Lot No. 1), Borough of Manhattan; and

WHEREAS, Order No. 4208-LF, issued by the fire commissioner February 14, 1939, reads:

"1. Provide an approved standpipe system arranged and equipped as per Article 17, Chapt. 26, Adm. Code. Plans must be filed with and approved by the Department of Housing and Buildings before work is commenced. C19-161.0 Adm. Code."

and

WHEREAS, the above order is referred to in a decision of the fire commissioner, dated July 6, 1939; and

WHEREAS, the building is cellar and 7 stories (96 ft. 10 in.) in height, 45 ft. by 112 ft. 4 in. in area, of fireproof construction; equipped with a standpipe system; located in an unrestricted use district; erected in 1890; and

WHEREAS, the applicant contends that the sub-standard standpipe system in the building is equipped with a 2,062 gallon tank on the roof, used for both house and standpipe supply; that a 2½ inch riser extends through the building with approved hose outlets, hose racks and 50 ft. of approved hose on all floors; that the 2½ inch riser continues from the tank downward to the cellar, where it increases to 3 inches, with a further increase to 4 inches at the existing siamese connection at the Broad street front; that the tank is supplied by two 62½ gallon Quimby pumps, twin-connected, controlled by an automatic float switch located at the tank, all now in perfect working order; that the existing tank is 1 ft. 2 in. above the roof; that it is proposed to rearrange the house supply, so that same will be taken off outside the tank above the 1800 gallon point; that fire buckets are located in the halls on all floors and that the building is accessible from three street fronts.

Resolved, that the order of the fire commissioner, No. 4208-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the standpipe

system shall be maintained to the satisfaction of the fire commissioner; that the house supply tank shall be arranged, as proposed, so that at all times there will be at least 1800 gallons reserve for standpipe purposes; that this modification shall continue only so long as the building is not increased in height or area and the occupancy remains substantially as stated.

984-39-A.

APPLICANT—Edgar J. Moeller, for Emigrant Industrial Savings Bank, owner (Royaltone, Inc., lessee).

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—245-251 Seventh avenue and 165 West 24th street, northeast corner (Block No. 800, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Edgar J. Moeller and Frank M. Sweeney.

For Administration: Insp. Meyer and Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(984-39-A)

WHEREAS, Edgar J. Moeller, for Emigrant Industrial Savings Bank, owner (Royaltone, Inc., lessee), filed July 20, 1939, an appeal from an order of the fire commissioner, affecting premises 245-251 Seventh avenue and 165 West 24th street, northeast corner (Block No. 800, Lot No. 1), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 18253-LC, dated July 19, 1939, reads:

"1. Discontinue the storage of nitro cellulose products in the building 245-251 Seventh avenue, Borough of Manhattan."

and

WHEREAS, the building is 12 stories (150 ft.) in height, 86 ft. 11¼ in. by 79.2 ft. in area, of fireproof construction, equipped with a standpipe and a sprinkler system, erected in 1910; located in an unrestricted use district and occupied: Cellar—vacant; 1st floor—vacant; 2nd floor—printer—20 persons; 3rd floor—printer, bookbinder, linotype—22 persons; 4th floor—printer, bookbinder, offices—29 persons; 5th floor—dressmaker, perfumer, offices—23 persons; 6th floor—dressmaker, bookbinder—21 persons; 7th floor—printer—18 persons; 8th floor—knitting, linotype, offices—15 persons; 9th floor—printer, bookbinder, furrier—25 persons; 10th floor—printer, perfumer, offices—25 persons; 11th floor—printer—15 persons; 12th floor—tailor, watch dials—20 persons. It is proposed to use the cellar and 1st floor for printing—1 person in the cellar and 40 persons on the 1st floor; and

WHEREAS, the applicant contends that the sprinkler system is fed by two (2) roof tanks of 5,000 gallons capacity each; that the business to be carried on by the lessee is a retail processing and developing of films for amateur photographers and the sale at retail of cameras and photographic supplies; that the only moving picture film processing is of the candid camera type; that no chemicals, except those used for developing, are kept on the premises; that the work room will be on the ground floor with exits to Seventh avenue and West 24th street and adequate exits will be provided; that all partitions in this area will be gypsum block from floor to ceiling, equipped with one hour test self-closing fireproof doors; that all rooms in this area will be mechanically ventilated; that owing to the small amount of loose nitrous base films and the fact that all processing is in enclosed rooms, permit is requested to store the films as proposed, in steel cabinets.

MINUTES

Resolved, that the order of the fire commissioner, No. 18253-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the sprinkler system shall be maintained to the satisfaction of the fire commissioner and that the source of water supply on the roof, consisting of two (2) 5,000 gallon gravity tanks shall be maintained in connection therewith; that in all other respects the film laboratory shall conform with the rules and regulations.

985-39-A.

APPLICANT—Leonard A. Swarthe, for Mahan Associates, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1610 Mahan avenue, northeast corner of Middletown road (Block No. 4173, Lot Nos. 29 and 33), Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard A. Swarthe and Joseph Frankel.

For Administration: M. C. Theide, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(985-39-A)

WHEREAS, Leonard A. Swarthe, for Mahan Associates, Inc., owner, filed July 20, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 1610 Mahan avenue, northeast corner of Middletown road (Block No. 4173, Lot Nos. 29 and 33), Borough of The Bronx; and

WHEREAS, the decision of the acting borough superintendent, on B.N. Applic. No. 536-39, dated July 19, 1939, reads:

"1. Chimney of incinerator to comply with Section 11.3.7.

Note: Chimney to be lined with 4 in. of fire brick and 4 in. of brick to a height of 30 ft. above the roof of combustion chamber."

and

WHEREAS, the building is six (6) stories (62 ft.) in height, 147 ft. 10 in. by 68 ft. 8 in. in area, of Class 3 construction, located in a business use district, erected in 1928 and occupied as a multiple dwelling with stores on the 1st floor; and

WHEREAS, the applicant contends that it is proposed to improve the building by the installation of a flue fed, non-fuel fired incinerator; that the only practical means of making this installation is by the utilization of the existing dumbwaiter shaft, the present construction of which permits only the installation of a 16 in. by 16 in. inside diameter flue lining, plus 3½ in. of concrete on 3 sides, the other side being the existing 12 inch brick wall; that three sides of the flue will be enclosed by the existing 4 inch gypsum block plastered on one side; that the grate area of the incinerator as proposed is 7.5 sq. ft. and the incinerator will have six (6) service openings and be six stories high; that to comply with the decision of the borough superintendent, would subject the owner to great financial hardship.

Resolved, that the decision of the acting borough superintendent on B. N. Applic. No. 536-39 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

980-38-A.

APPLICANT—George H. Suess, for Mary Wetteroth, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—885 East Seventh street, east side, 135 ft. north of Avenue H (Block No. 6495, Lot No. 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: George H. Suess.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(980-38-A)

WHEREAS, George H. Suess, for Mary Wetteroth, owner, filed November 3, 1938, an appeal from a decision of the Acting Borough Superintendent of Buildings affecting premises: 885 East Seventh street, east side, 135 ft. north of Avenue H (Block No. 6495, Lot No. 49), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent of Buildings, on Alteration Application No. 15262-38, dated November 2, 1938, reads:

"1. Proposed change of occupancy to 2 families in a 2 story and attic frame building is contrary to 2-1-3-5 and 8-7-2-1 of the Code."

and

WHEREAS, the building, located on a lot 25 ft. by 199 ft., in a residence use, "C" area district, is two stories and attic (22 ft. 6 in.) in height, 17 ft. by 37 ft. in area, of frame construction, erected in 1915 and occupied as a 1 family dwelling; it is proposed to change the occupancy to first floor, 1 family; 2nd floor and attic, 1 family, total of 2 families; and

WHEREAS, applicant contends that the attic rooms are now in and no changes are to be made and requests the use of the attic in conjunction with the second floor, for use of one family; and

WHEREAS, this appeal was granted by the Board November 15, 1938, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on November 15, 1938, be and it hereby is *amended*, so that as *amended* it shall read:

"*Resolved*, that the decision of the Borough Superintendent, acting on Alt. App. No. 15262-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall at no time be permitted to be occupied by more than two (2) families, one occupying the first floor and the other the 2nd floor and attic; that there shall be filed with the Borough Superintendent an agreement by the owner, that at no time will the building be occupied by more than two (2) families; that the second means of exit shall be installed from attic story, consisting of a stair or ladder not less than 18 in. in width and extending from attic story to 2nd story and thence to court by drop ladder; that the plot on which the building is erected shall not be reduced and the building shall not be increased in height or area.

Resolved further, that in the event the owner desires to erect the exterior fire-escape of wood from the attic story to grade, such construction may be permitted."

CASES DISMISSED

Appeals From Administrative Decisions

The Chairman called attention to the following cases where notices of intention to appeal were offered for filing;

MINUTES

but where, despite notices, from this office, papers have not been completed.

(1027-38-A)

Filed November 15, 1938—Premises: 27-01 Bridge Plaza, North (Block No. 416, Lot No. 10), Long Island City, Borough of Queens. Appeal from an order of the fire commissioner. Applicant: Gillespie Equipment Corporation, lessee, for Queensboro Plaza - 28th St. Corp., owner. Dismissed for lack of prosecution.

(1042-38-A)

Filed November 18, 1938—Premises: 515-525 Dumont avenue, and 379-389 Snediker avenue, northeast corner (Block No. 3783, Part of Lot No. 1), Borough of Brooklyn. Appeal from a decision of the acting borough superintendent of buildings. Applicant: Leo Sussman, lessee, for William Linder, owner. Dismissed for lack of prosecution.

(1062-38-A)

Filed November 25, 1938—Premises: 3824 Avenue H, south side, 112 ft. east of East 38th street (Block No. 7742, Lot No. 45), Borough of Brooklyn. Appeal from a decision of the acting borough superintendent of buildings. Applicant: Philomena Rao, owner. Dismissed for lack of prosecution.

(21-39-A)

Filed January 10, 1939—Premises: 324 West 31st street, south side, 287 ft. west of Eighth avenue (Block No. 754, Lot No. 55), Borough of Manhattan. Appeal from an order of the fire commissioner. Applicant: Eugene C. Sumereau, lessee, for Manufacturers Trust Company, owner. Dismissed for lack of prosecution.

(23-39-A)

Filed January 10, 1939—Premises: 2143-2163 Tilden avenue, north side, 103 ft. 8½ in. east of Flatbush avenue (Block No. 5126A, Lot No. 91), Borough of Brooklyn. Appeal from a decision of the acting borough superintendent of buildings. Applicant: Flatbush Amusement Centre, Inc., for Rubel Corporation, owner. Dismissed for lack of prosecution.

(211-39-A)

Filed February 24, 1939—Premises: 114 Maurice avenue, north side, 68.19 ft. east of Borden avenue, building No. 1 (Block No. 2187, Lot No. 85), Maspeth, Borough of Queens. Appeal from a decision of the borough superintendent of buildings, re: Revocation of Certificate of Occupancy No. 3407-36. Applicant: Walter Szachacz, adjacent property owner; Stanley Magill, owner of premises. Dismissed for lack of prosecution.

(212-39-A)

Filed February 24, 1939—Premises: 114 Maurice avenue, north side, 68.19 ft. east of Borden avenue, building No. 2 (Block No. 2187, Lot No. 85), Maspeth, Borough

of Queens. Appeal from a decision of the borough superintendent of buildings, re: Revocation of Certificate of Occupancy No. 3422-36. Applicant: Walter Szachacz, adjacent property owner; Stanley Lazarvitch, owner of premises. Dismissed for lack of prosecution.

(213-39-A)

Filed February 24, 1939—Premises: 114 Maurice avenue, north side, 68.19 ft. east of Borden avenue, building No. 3 (Block No. 2187, Lot No. 85), Maspeth, Borough of Queens. Appeal from a decision of the borough superintendent of buildings, re: Revocation of Certificate of Occupancy No. 3408-36. Applicant: Walter Szachacz, adjacent property owner; Gus Stanley, owner of premises. Dismissed for lack of prosecution.

(214-39-A)

Filed February 24, 1939—Premises: 114 Maurice avenue, north side, 68.19 ft. east of Borden avenue, building No. 4 (Block No. 2187, Lot No. 85), Maspeth, Borough of Queens. Appeal from a decision of the borough superintendent of buildings, re: Revocation of Certificate of Occupancy No. 3423-36. Applicant: Walter Szachacz, adjacent property owner; Jim Lazarvitch, owner of premises. Dismissed for lack of prosecution.

(215-39-A)

Filed February 24, 1939—Premises: 114 Maurice avenue, north side, 68.19 ft. east of Borden avenue, building No. 5 (Block No. 2187, Lot No. 85), Maspeth, Borough of Queens. Appeal from a decision of the borough superintendent of buildings, re: Revocation of Certificate of Occupancy No. 3424-36. Applicant: Walter Szachacz, adjacent property owner; Steve Lazarvitch, owner of premises. Dismissed for lack of prosecution.

(216-39-A)

Filed February 24, 1939—Premises: 114 Maurice avenue, north side, 68.19 ft. east of Borden avenue, building No. 6 (Block No. 2187, Lot No. 85), Maspeth, Borough of Queens. Appeal from a decision of the borough superintendent of buildings, re: Revocation of Certificate of Occupancy No. 3453-36. Applicant: Walter Szachacz, adjacent property owner; George Lazarvitch, owner of premises. Dismissed for lack of prosecution.

(217-39-A)

Filed February 24, 1939—Premises: 114 Maurice avenue, north side, 68.19 ft. east of Borden avenue, building No. 7 (Block No. 2187, Lot No. 85), Maspeth, Borough of Queens. Appeal from a decision of the borough superintendent of buildings, re: Revocation of Certificate of Occupancy No. 3409-36. Applicant: Walter Szachacz, adjacent property owner; Stanley Lazarvitch, owner of premises. Dismissed for lack of prosecution.

MINUTES

(218-39-A)

Filed February 24, 1939—Premises: 114 Maurice avenue, north side, 68.19 ft. east of Borden avenue, building No. 8 (Block No. 2187, Lot No. 85), Maspeth, Borough of Queens. Appeal from a decision of the borough superintendent of buildings, re: Revocation of Certificate of Occupancy No. 3425-36. Applicant: Walter Szachacz, adjacent property owner; Gus Lazarvitch, owner of premises. Dismissed for lack of prosecution.

(219-39-A)

Filed February 24, 1939—Premises: 114 Maurice avenue, north side, 68.19 ft. east of Borden avenue, building No. 9 (Block No. 2187, Lot No. 85), Maspeth, Borough of Queens. Appeal from a decision of the borough superintendent of buildings, re: Revocation of Certificate of Occupancy No. 3426-36. Applicant: Walter Szachacz, adjacent property owner; Pete Lazarvitch, owner of premises. Dismissed for lack of prosecution.

(220-39-A)

Filed February 24, 1939—Premises: 114 Maurice avenue, and east side of Old School Brook Road, 382 ft. north of Maurice avenue, building No. 10 (Block No. 2187, Lot No. 23), Maspeth, Borough of Queens. Appeal from a decision of the borough superintendent, re: Revocation of Certificate of Occupancy No. 3410-36. Applicant: Walter Szachacz, adjacent property owner; Steve Stanley, owner of premises. Dismissed for lack of prosecution.

(221-39-A)

Filed February 24, 1939—Premises: East side of Old School Brook Road, 382 ft. north of Maurice Avenue, and 114 Maurice avenue, building No. 11 (Block No. 2187, Lot No. 23), Maspeth, Borough of Queens. Appeal from a decision of the borough superintendent of buildings, re: Revocation of Certificate of Occupancy No. 3427-36. Applicant: Walter Szachacz, adjacent property owner; Lizzy Stevens, owner of premises. Dismissed for lack of prosecution.

(222-39-A)

Filed February 24, 1939—Premises: East side of Old School Brook Road, 595 ft. north of Maurice avenue, and 114 Maurice avenue, building No. 22 (Block No. 2187, Lot No. 23), Maspeth, Borough of Queens. Appeal from a decision of the borough superintendent of buildings, re: Revocation of Certificate of Occupancy, No. 3434-36. Applicant: Walter Szachacz, adjacent property owner; Louis Mitchell, owner of premises. Dismissed for lack of prosecution.

(223-39-A)

Filed February 24, 1939—Premises: East side of Old School Brook Road, 693 ft. north of Maurice avenue, and 114 Maurice avenue, building No. 39 (Block No.

2187, Lot No. 23), Maspeth, Borough of Queens. Appeal from a decision of the borough superintendent of buildings, re: Revocation of Certificate of Occupancy, No. 3470-36. Applicant: Walter Szachacz, adjacent property owner, Gus Mitchell, owner of premises. Dismissed for lack of prosecution.

(351-39-A)

Filed March 21, 1939—Premises: 127 Pennsylvania avenue, and 363 Liberty avenue, northeast corner (Block No. 3687, Lot No. 1), Borough of Brooklyn. Appeal from an order and a decision of the fire commissioner. Applicant: E. J. McGrew, Jr., for Department of Public Works, City of New York, owner. Dismissed for lack of prosecution.

(409-39-A)

Filed March 31, 1939—Premises: 570-574 Surf avenue, south side, 242 ft. east of West 6th street (Block No. 7288, Part of Lot No. 1), Borough of Brooklyn. Appeal from an order and a decision of the fire commissioner. Applicant: Edwin W. Kleinert for Klarbak Amusement Corp., lessee, Brooklyn Trust Company, owner. Dismissed for lack of prosecution.

(452-39-A)

Filed April 11, 1939—Premises: 56-58 Box street, south side, 325 ft. west of Oakland street (Block No. 2483, Lot Nos. 17-18), Borough of Brooklyn. Appeal from an order and decision of the fire commissioner. Applicant: James E. McKillop for National Kindlers Corp., lessee, James McDermott, owner. Dismissed for lack of prosecution.

(523-39-A)

Filed April 25, 1939—Premises: 64-70 Grand avenue, west side, 150 ft. south of Park avenue (Block No. 1892, Lot No. 44), Borough of Brooklyn. Appeal from an order of the fire commissioner. Applicant: Reisner and Bronchick, Inc., owner. Dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

WHEREAS, the foregoing applicants have filed with the Board of Standards and Appeals cases affecting the premises in question; and

WHEREAS, the applicants have failed to complete their papers, though duly notified to do so; and

WHEREAS, the applicant in each case was duly notified that the appeal was to be considered at this meeting for dismissal, but made no appearance.

Resolved, that these appeals be and they hereby are dismissed for lack of prosecution.

APPLIANCES SUBMITTED FOR APPROVAL

281-37-SA.

APPLICANT—J. A. Flynn, for Todd Combustion Equipment, Inc., owner.

MINUTES

SUBJECT—Todd Rotary Burner (Pump Type), Models A, B, C, C-1 and D, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(281-37-SA)

WHEREAS, J. A. Flynn for Todd Combustion Equipment Inc., owner, filed June 10, 1937, an application with the Board of Standards and Appeals for approval of the appliance known as the Todd Rotary Burner (Pump Type), Models A, B, C, C-1 and D; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 281-37-SA

Approval of Todd Rotary Burner (Pump Type) Models A, B, C, C-1 and D of the Todd Rotary Oil Burner.

This appliance was inspected and tested at 1421 Ocean avenue, Brooklyn, where Model C was installed in a commercial type boiler. The models differ only in the size of the motor, fan and oil consumed per hour.

This burner is of the horizontal rotary type consisting of a spinning cup atomizer driven in conjunction with a centrifugal type fan from an electric motor. The motor varies in size from 1/3 to 3 H.P. with a proportional sized fan suited to the capacity of each model of burner. The motor is flange mounted upon cast iron fan casing which is arranged for hinge mounting to permit the swinging of the burner assembly out of the fire box of the burner.

A Viking pump was flange mounted to the burner so that its suction and discharge ports connect with each side of the dividing wall case in the side of the burner. The oil passes from the pump to the electric heater and then to the atomizing cup through a safety regulating and shut off valve.

All these models are equipped with a Vulcan electric pre-heater and the pump used was made by the Viking Pump Company. This burner differs only from the burners originally approved under various other Calendar numbers, in the fact that the pump is an integral part of the burner unit. The burners approved under former applications were of the non-pump type and the oil was supplied by separate pump sets.

Ignition—dual. Expanding gas pilot light and electric ignition from a Jefferson transformer 110 to 10,000 volts.

Controls—Magnetic gas valve on pilot light manufactured by the Minneapolis Honeywell Company. Protecto-Relay R157-A; either a Minneapolis Honeywell Pressuretrol or Aquastat, depending upon nature of the system to be heated and Asco Oil Valve and a Mercoid High and Low flame control.

The burner was put into operation with the oil supply shut off and the controls functioned and shut the burner down in 42 and 45 seconds respectively. The burner was then put into normal operation and during the period of test there were no flare backs and all controls functioned as designed. Examination of the combustion chamber showed no undue carbon deposits and the flame was steady, clean and free of smoke.

The other model burners were examined and found to be substantially the same as the one tested, the only difference being those mentioned above. The report

of the Division of Combustibles is a part of the record in this application.

As a result of this inspection and test, it is recommended that the Todd Rotary Burner and pump, type P.A.H. and P.A., and Models A, B, C, C-1 and D be approved for use with No. 6 oil when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals and the burner shall have permanently affixed thereto a label reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 281-37-SA.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Todd Rotary Burner and Pump, type P.A.H. and P. A., and Models A, B, C, C-1 and D, on condition that the appliance be manufactured, installed, operated and labelled in accordance with above report.

746-38-SA.

APPLICANT—Service Station Equipment Co., owner.
SUBJECT—Bennett Pumps for Motor Fuels, Models 156 and 375—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(746-38-SA)

WHEREAS, The Service Station Equipment Co., owner, filed August 26, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Bennett Pumps for Motor Fuels, Models 156 and 375; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 746-38-SA.

Approval of Bennett Pumps for Motor Fuels, Models 156 and 375.

The Service Station Equipment Co., owner, filed August 26, 1938, an application with the Board of Standards and Appeals for approval of the Bennett Pumps, Models 156 and 375 for motor fuels under the provisions of the Administrative Code.

These pumps are electrically operated discharge devices intended for the dispensing of gasoline. They are designed to measure and indicate the quantity of fuel discharged and are constructed for installation either inside or outside of building.

The base is of cast iron 1/4 inch thick and over. The pedestal consists essentially of four 3/4 inch wrought iron pipes and a pump top frame. The pipes thread into the pump top frame casting and are secured in the base by means of lock nuts below and above the base.

MINUTES

The housings consist of two main panels of deep drawn 18 US gauge steel, each fastened by two machine screws to the base and also by two machine screws to the top frame casting. The canopy is not less than 20 US gauge steel and is attached by machine screws and clamping strips to the top ends of the housing main panels; two doors are hinged from one of the main panels and are locked by formed locking hooks attached to a locking bar at the other housing main panel. As optional construction the hinges may be omitted and locking bars used at each side of the doors.

Ventilation: Openings are cored in the base casting.

Hose Nozzle Holster: A closed end cast holster, with flanged fastening surfaces located outside the housing is attached to the housing from the inside by means of clamping strips and machine screws.

Pumping Unit: Cap screw openings do not extend thru into the liquid cavities. When desired a train of gears may be supplied for driving the pumps by means of a hand crank.

Mounting of Pumping Units: Secured to the bottom of the air eliminator with a machined gasketed joint by eight $\frac{3}{8}$ inch cap screws. A heavy cast iron bracket is attached to the side of the pump body by two $\frac{3}{8}$ cap screws and extends to the base where it is also attached by two $\frac{5}{16}$ inch cap screws.

By-Pass Valve: The by-pass valve is built into the pumping unit and is constructed with maximum adjustment not being over 20 lb. per sq. in.

Strainer: The strainer is supplied as part of the pumping unit. In the remote control pedestal the same strainer screen and plugs used in the pump is installed in a separate casting which is bolted to the bottom of the air separator casting in place of the pump.

Air Eliminator: This is of the atmospheric vented type and is constructed so that the cap screws do not extend into the liquid cavities. The atmospheric vent terminates in the end of the nozzle holster in a screened fitting.

Pressure Relief: The air separator serves this purpose.

Meter: Service Station or Pittsburgh Equitable makes.

Meter Mounting: Secured to mounting deck made of cast iron which is attached to the pedestal uprights by case or forged support bracket eyes into which are threaded either $\frac{3}{8}$ in. cap screws or $\frac{3}{8}$ in. set screws. Optional construction serrated clamps fastened at each corner post to the cast deck by two $\frac{3}{8}$ in. cap screws.

Visible Discharge Indicator: "Bull's eye" type located in pump dial. Secured to the pedestal top casting by two $\frac{3}{8}$ in. cap screws and the outlet pipe is supported by a cast supporting ring also fastened to the pedestal top casting by a $\frac{3}{8}$ in. stud bolt and lock nuts.

Control Valve: It is used at the outlet side of the air eliminator. A reverse check is set to operate at 35-45 lbs. per sq. in.

Hose Nozzle Valve: Listed type of design adapted to locking mechanism and hose nozzle holster.

Shut-off Valve: In remote control pedestal a listed vertical poppet shut-off valve is installed in the discharge pipe. It is arranged to close with the liquid flow and when the motor control switch is opened.

Piping and Fittings: Special fittings unless of $\frac{1}{4}$ in. wall thickness are galvanized or protected by approved coatings.

Inlet and Outlet Tubing at Meter: Copper of listed type. It is connected with listed type tube fittings.

Gaskets: All gaskets in bolted, finished joints are listed cork gaskets at least $\frac{1}{16}$ in. thick or listed sheet packing not over $\frac{1}{32}$ in. thick.

Motor: $\frac{1}{4}$ or $\frac{1}{3}$ H.P., 110-220 V. a.c. or d.c.; and not in excess of 1800 rpm. Spark and vaporproof.

Wire: At least No. 14 B&S gauge.

Motor Switch: This is supplied as part of the motor. Leads are sealed off by the motor manufacturer.

Light Sockets: Keyless, weatherproof, secured in position. They are specially for use in discharge devices having the lead wires sealed in the caps or nipples for a distance of at least $\frac{5}{8}$ in. The nipples between the sockets and conduit box are plated and clamped to the top frame casting at two points with pipe straps before the chassis is painted.

Sealing Compound: G. E. Compound No. 236 or litharge and glycerine cement is used to seal the lead wires on the lower side of the light switch box and at the light sockets.

Conduit Unions & Fittings: A special conduit fitting is used to connect the motor conduit with the terminal box. This permits the motor to be shifted for belt take-up without disturbing the conduit connections.

Locking mechanism: The hinged doors are locked from the inside. The locking levers are reached from the small housing door in the main housing panel near the hose nozzle.

The Control Mechanism: The control mechanism consists essentially of a motor switch mounted in the motor, a hose nozzle hook, pivoted lever, push pins, and interconnecting levers. The hose nozzle hook is secured rigidly to a mounting bracket of 12 US gauge steel fastened in turn to the housing. The pivoted lever operates two push pins, one above and the other below the nozzle hook that extends through bearings to actuate the bell crank to which is connected the motor switch rod. When the hose nozzle valve is removed from its hook, a separate manual action is required to push the pivoted lever at this lower end which operates the mechanism to close the switch at the motor. The upper end of the pivoted lever is pushed to shut off the motor and this must be done by hanging the nozzle in position. The extent of the movement is limited to insure proper switch operation and to relieve it from severe strain. When desired a meter clock reset and control mechanism interlock may be supplied to cause resetting of the meter clock to zero before a dispensing operation.

Protection against Corrosion:

Parts which may come in contact with the fluid handled, that are not made of corrosion-resisting material and are not at least $\frac{1}{4}$ in. thick, are hot galvanized or coated with approved lacquers.

Castings are thoroughly cleaned, sand-blasted, and carefully inspected for defects, after which they are thoroughly coated, dried and machined. Castings treated in this way are tested and proven sound before being coated. Surfaces treated in this manner are coated at such time that subsequent handling or storage will not result in injury to the protective coating.

These models have been approved by the Underwriters Laboratories Guide No. 60.03.0, March 7, 1938. File MH 1964.

Model 156 is the motor and pumping unit and Model 375 is the computing clock and meter. The appliance was inspected at 29 Broadway, July 24, 1939.

On the basis of this inspection and the above report it is recommended that the Bennett Pump for Gasoline Combination, Models 156 and 375 be approved for use in New York City on condition that the appliance have a label reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 746-38-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

and

WHEREAS, this report recommended the approval of this appliance.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Bennett Pumps for Motor Fuels, Models 156 and 375, on condition that the appliance be manufactured, installed, operated and labelled in accordance with above report.

443-39-SA.

APPLICANT—Sedgwick Machine Works, Inc., owner.
SUBJECT—Sedgwick Type SW Door Interlock—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(443-39-SA)

WHEREAS, Sedgwick Machine Works, Inc., owner, filed April 10, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Sedgwick Type "SW" Door Interlock; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 443-39-SA.

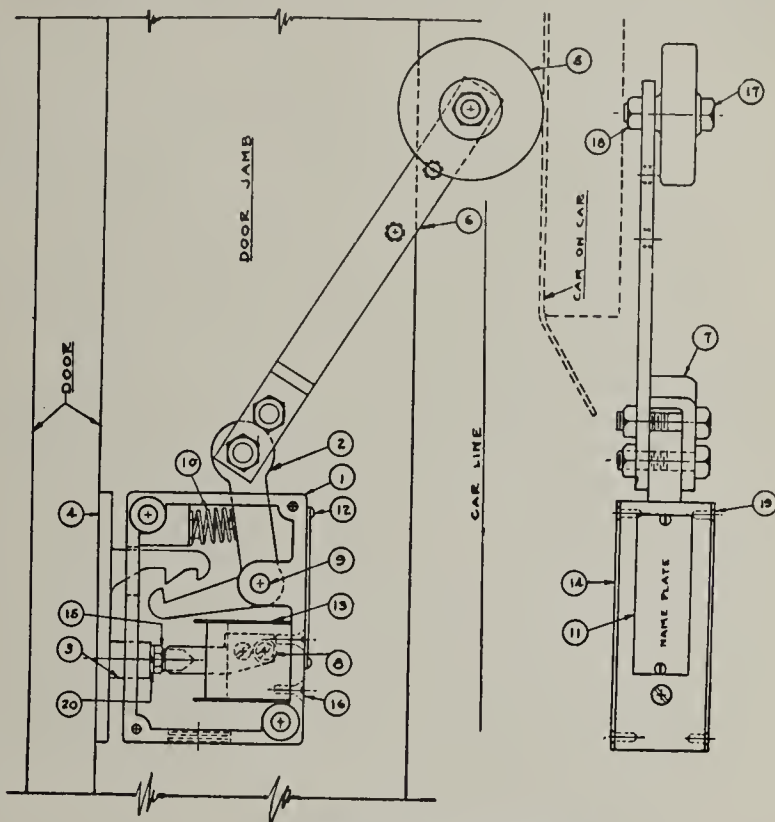
Subject: Sedgwick Type "SW" Door Interlock.

July 20, 1939.

The Sedgwick Machine Works, Inc., owner, filed a request with the Board of Standards and Appeals on April 10, 1939, for the approval of their Interlock under the provision of tests C-26-1179.0 (13.8.1) for use under section C26-907.0 (13.2.3.2.1), Paragraph A, Subject 1, entitled the Door Unit System, wherein the Interlock prevents the operation of the elevator machine from moving the car away from the landing unless the hoistway door of that landing at which the car is stopping or which at rest, is locked into closed position.

The Sedgwick Type "SW" Door Interlock is of a single contact type and performs the functions of an Interlock when used on swinging doors in conjunction with a keeper No. 4 (see fig. 1) and in conjunction with a cam installed on an elevator or dumbwaiter car. The Interlock is mounted on the door buck and the keeper is mounted on the door in line with the Interlock case No. 1, and $\frac{3}{8}$ inch distance from it when door is in closed position. Here the stud contact No. 15 is in contact with contact unit No. 8, completing the control circuit and permitting the car to move. The movement of the car causes the roller No. 5, with the roller arm No. 6, to rotate slightly in a clock direction about the pin No. 9, permitting catch No. 2 to engage keeper No. 4 which prevents the opening of the door.

As the car approaches a landing the above procedure is reversed. The opening of the door in this case causes the stud contact No. 15 to slide out from between the bronze springs of contact unit No. 8, thus opening the control circuit and preventing the operation of the car until the contacts are again closed. The adjustment of the keeper No. 4 and catch No. 2 is such that the door cannot be opened until the cam on the car engages the roller No. 5 which happens when the car reaches a particular floor level and prevents the car from stopping by attempting to open the door when the car is not at the landing. An additional safety feature is incorporated when should the door be not fully closed the forward position of keeper No. 4 will engage the catch No. 2 and thus prevent the opening of the door



PART NO.	NAME	MATERIAL	QTY.
1	INTERLOCK CASE	CAST AL. CU.	1
2	CATCH	CAST AL. CU.	1
3	BASE INSULATOR	IN BASE STUO.	1
4	KEEPER	CAST BRONZE	1
5	ROLLER	FAULTLESS BIS	1
6	ROLLER ARM	C.E.S. CAD. PL.	1
7	CLAMP	C.E.S. CAD. PL.	1
8	CONTACT UNIT	DWG. 8030	1
9	PIN	$\frac{1}{8}$ DIA. C.E.S. CAD. PL.	1
10	SPRING	BR WIRE CAD. PL.	1
11	NAME PLATE	BRASS	1
12	BI SCREW - $\frac{1}{8}$ LG	BRASS	2
13	INSULATOR	$\frac{1}{8}$ DIA. PIN PAPER	1
14	COVERS, R.M.L.W.	C.E.S. CAD. PL.	2
15	STUD CONTACT	STAINLESS STL.	1
16	BI SCREW - $\frac{1}{8}$ LG	FL. HD. CAD. PL.	2
17	$\frac{1}{8}$ DIA. BOLT - $\frac{1}{4}$ LG	HEX. HD. CAD. PL.	3
18	$\frac{1}{8}$ DIA. NUT	HEX. HD. CAD. PL.	3
19	#6 SCREW - $\frac{3}{16}$ LG	FL. HD. CAD. PL.	4
20	LOCK WASHER	STEEL	1

FIGURE 1

and the operation of the car since the control circuit is open. Normal conditions are restored only after the door has been fully closed and the normal position of the keeper No. 4 has been engaged by catch No. 2. The details of this Interlock, including method of attachment and material specifications are as shown on Fig. No. 1.

Tests on the Sedgwick Interlock Type "SW" were made at Columbia University, Report No. E-12, filed herewith. These tests were made in accordance with requirements of C-26-1179.0 (13.8.1) with details as follows:

(a) Endurance Test

A Sedgwick Type SW Interlock was installed on a horizontal swinging door which was provided with a solenoid operated retiring cam to actuate the interlock switch. Contacts of the contact unit No. 8 and the stud contact No. 15, both as shown in Fig. No. 1, were arranged to close a resistance loaded circuit carrying 2 amperes at 220 volts. Mechanical means were provided outside the lock to open this circuit while the door was opening with a sequence of test operations as follows:

- (1) The cam is lowered, unlocking the door.
- (2) The 2 ampere test circuit is opened through a set of contacts on the shaft.
- (3) The door is opened by the action of a cam on the shaft. This opening of the door separates the

MINUTES

contact stud "15" and the contact spring of the contact unit "8".

- (4) The test contacts close, and a second set of contacts puts a recording meter in the circuit which will indicate if the contacts have failed to open.
- (5) The door is closed, making contact between the stud "15" and the spring of the contact unit "8".
- (6) The retiring cam is raised, locking the door.
- (7) A third set of test contacts connect a recording meter in circuit to indicate a failure of the interlock contacts to close.
- (8) Pressure is applied to the door in an attempt to open it with the interlock in the locked position. A failure of the interlock at this point is recorded by a pen on the recording meter and by a mechanical counter in the door.
- (9) The pressure is removed, completing the test cycle.

The interlock was subjected to 100,000 cycles of operation as described. A continuous record of the reliability of operation was obtained from the recording meters. This was supplemented by automatic operation counters located on the door, test motor shaft, and retiring cam—and by periodic inspection of the device.

(b) *Current Interruption Test*

After completion of the endurance test, the same device used for that test was subjected to the current interruption test.

The test cycle is the same as described above, except that a current of 2 amperes was interrupted at the interlock contacts instead of at test contacts.

The device was subjected to 1,000 cycles, opening the circuit at the switch contacts.

(c) *Test in Moist Atmosphere*

A second complete test assembly of the device was installed in the closed hatchway in a manner similar to the installation in the open hatchway.

The test cycle was identical with that described under "Endurance Test."

A preliminary run of 10,000 cycles was made on this specimen. It was then disassembled, washed in gasoline and reassembled in place. It was subjected then for 72 hours to an atmosphere saturated with a 3½% aqueous solution of sodium chloride. During this period it was operated for 10 cycles after 24 hours exposure, and again for 10 cycles after 48 hours exposure to the salt atmosphere.

After 72 hours in the saturated salt atmosphere, the device was exposed to the air for 24 hours, then lubricated and subjected to a test of 15,000 cycles.

(d) *Test Without Lubrication*

A third sample of the device was subjected to the test without lubrication, the test cycle being the same as previously described.

A preliminary run of 10,000 cycles of operation, fully lubricated, was made, then the device disassembled, washed with gasoline and reassembled in place. It was then subjected to 25,000 cycles of operation without lubrication and further adjustment.

(e) *Misalignment Test*

The device was tested and inspected for proper operation under misalignment conditions.

(f) *Insulation Test*

The device was subjected to a 60 cycle sine wave voltage of 1440 volts between contacts, and between contacts and case for 1 minute.

The insulation test was repeated at 2100 volts for 1 minute.

- (g) The force required to release the interlock and

the movement of the element engaged by the cam was measured.

THERMO EXPANSION

The applicant has furnished data which indicates that there is sufficient clearance between all parts so as to insure the satisfactory operation of this interlock from temperatures ranging from 25° to 140° Fahrenheit.

On the basis of this test the Committee recommends the approval of the Sedgwick Type "SW" Interlock for Swinging Doors for use as a hoistway door interlock in the door unit system on elevators or dumbwaiters under C26-907.0 (13.2.2) when manufactured in accordance with details set forth herein on condition that in addition to the marking as provided in C26-913.0 (13.2.3.2.7) the following shall be added in decalcomania "Approved for use in New York City by the Board of Standards and Appeals under Cal. 443-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Sedgwick Type "SW" Door Interlock, on condition that the appliance be manufactured, installed, operated and labeled in accordance with above report.

545-39-SA.

APPLICANT—Florence Stove Company, owner.

SUBJECT—Florence Cabinet Heaters, Models CK-1, CK-2, CJ-1, CJ-21 and C-2, approval of.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(545-39-SA)

WHEREAS, The Florence Stove Company, owner, filed May 1, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Florence Cabinet Heaters, Models CK-1, CK-2, CJ-1, CJ-21 and C-2; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 545-39-SA

Approval of Florence Cabinet Heaters,
Models CK-1, CK-2, CJ-1, CJ-21 and C-2.

July 11, 1939

The Florence Stove Company, owner, filed May 1, 1939, an application with the Board of Standards and Appeals for approval of the Florence Cabinet Heaters, Models CK-1, CK-2, CJ-1, CJ-21, and C-2.

These heaters are of the so-called Blue Flame Vaporizing Type. Oil is vaporized in a trough or bowl and the vapors pass up between perforated cylindrical shells

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where air mixing internally with the vapors results in a clean blue flame. The original generation of vapor is started by means of an asbestos kindler or wick in the Burner bowl. The flow of oil to the burner is controlled by an accurate needle valve made of all brass parts. A stop is provided in the valve to prevent complete accidental withdrawal of steam. The stuffing box is of a type having asbestos graphite packing taken up by a follower gland. The oil level at the burner is maintained so that even with the valve wide open the burner will give a clean safe fire. Oil is stored in a metal tank of not over two gallons capacity. Metal is copper bearing steel heavily coated with tin for rust proofing. All joints are locked, seamed and soldered. Tanks are reinforced by beading.

The tank rests in a lower reservoir in which a constant level is maintained by Barometric principle. Just above this constant oil level is an overflow hole so that in case of any damage to the tank which might destroy its vacuum, the oil will simply discharge outside of the heater preventing flooding of the burner.

The operating equipment is built into several size casings. All casings are made of not less than 22 gauge sheet steel. Casings are finished in porcelain enamel or high heat resisting paints.

Model CK-1—Single 15 inch burner—11000 BTU

Model CK-2—Double 12 inch burner—per hr. cap. 1700

Model CJ-1—Single 15 in. (porcelain finish)—11000

Model CJ-21—Double 12 in. (porcelain finish)—17000

Model C-2—Double 15 in. (porcelain finish)—21000

Test of the appliance was conducted and the appliance was found to operate satisfactorily.

The appliance has been approved by the Underwriters Laboratories K71-39C724.

It is recommended that the Florence Cabinet Heaters, Models CK-1, CK-2, CJ-1, CJ-21 and C-2 be approved for use in New York City, on condition that the appliance have a label reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 545-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Florence Cabinet Heaters, Models CK-1, CK-2, CJ-1, CJ-21, and C-2, *on condition* that the appliance be manufactured, installed, operated and labelled in accordance with above report.

708-39-SA.

APPLICANT—Vapomatic Service Corporation, owner.
SUBJECT — Nu-Vapomatic Oil Burner (for pressing machines), approval of.

APPEARANCES—

For Applicant: Solomon Gerson.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(708-39-SA)

WHEREAS, The Vapomatic Burner Service Corporation, owner, filed May 29, 1939, an application with the Board

of Standards and Appeals for approval of the appliance known as the Nu-Vapomatic Oil Burner (for pressing machines); and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 708-39-SA

Approval of Nu-Vapomatic Oil Burner
(for pressing machines)

The Vapomatic Burner Service Corporation, owner, filed May 29, 1939, an application with the Board of Standards & Appeals for approval of the appliance known as the Nu-Vapomatic Oil Burner (for pressing machines).

This oil burner is designed primarily for use with pressing machines and consists essentially of a burner, generator, fuel tank, wall valve, combustion thermostat, high-low oil regulating switch, electric oil valve, motor pump unit, and the necessary piping and fittings.

This burner is a heavy cored iron casting machined with a series of openings in its upper face. Into each opening is inserted a lava burner disc set in with a heat-resisting cement.

The burner is made in the 10-in. size, and the storage tank is made with a fuel capacity of 6 gallons.

The discharge end of the generator valve projects into a hole in the face of the burner manifold which is provided with a rotating type of air shutter.

Directly under the burner is a cast-aluminum combination drip pan and heat deflector. This pan is constructed with two arms for attaching it to the burner by machine screws.

In the front of this pan is a depression for reception of the small amount of fuel which may be discharged into the burner during abnormal operation. A drain opening, normally closed by a brass plug, is provided in the bottom of the drip pan.

Gas connection is made to a pipe fitting threaded in an opening in the side of the burner manifold. This fitting is equipped with an orifice at its discharge end. Connection to this fitting is made by standard piping and fittings or by listed seamless drawn copper or brass tubing and fittings where the use of such is permitted.

Generator—This part, is a drawn steel tube with an outside diameter of 13/32 inches and a No. 18 USg (0.05 inches) wall thickness. It is bent in the form of a letter U. Within this section is a steel rod designed to assist in the vaporization of the fuel. This rod may be removed for cleaning by removing a plug in the fitting screwed on to the generator tube.

Wall Valve—This part is of cast brass, and the base is provided with two screw holes for attaching it to a special outlet box. The stem passes through a stuffing box equipped with a separate unthreaded brass gland beveled at its inner end to assist in tightening the graphite-asbestos packing around the stem when the stuffing box nut is tightened. Withdrawal of the stem is prevented by a lock ring.

Fuel Tank—This tank has a total liquid capacity of not more than 6 gal. It is formed from galvanized sheet steel. The shell is of No. 22 USg (0.031 in.) while the head and bottom are of No. 18 USg (0.05 in.) material. Joints in the assembly are riveted and soldered, the rivets being on 1-in. centers.

Connection of the fuel line is made to a fitting in the top of the tank. This fitting is provided with a discharge tube that terminates a short distance above the bottom of the tank. Attachment of the return line from the pump is made to a similar fitting.

Combustion Thermostat—This control is made by the Minneapolis Honeywell Company of Minneapolis, Minnesota. This control is adjusted so that it will not close the electric circuit until the burner generator has been preheated by gas for a period of at least

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ten minutes. It is also adjusted to open the circuit from within 15 to 30 seconds in case of burner flame failure. After this instrument has been properly adjusted, the cover is sealed by a wire to discourage tampering.

High-Low Oil Regulating Switch—This switch is also of the bimetallic type and is actuated by steam pressure. It is made by the Perfex Corporation of Milwaukee, Wis.

This instrument is wired in series with the electric by-pass valve installed in the fuel line. Should the boiler pressure exceed 60 lbs. per square inch, the switch opens the circuit. Accordingly the by-pass valve closes and reduces the flow of fuel to the burner to about 1/3 of the normal maximum flow. When the steam pressure drops to 45 or 50 lbs. per square inch, the switch again assumes the "on" position. Consequently the by-pass valve opens and again permits the full flow of fuel to the burner.

Electric Oil Valve—This valve is made by the General Control Company of San Francisco, California. It is installed in the fuel line and is mounted on the special outlet box. The valve is secured to a chase nipple brazed to the cover of the outlet box. The construction is such as to prevent the valve from turning.

When the valve closes due to operation of the high-low oil regulating switch, fuel passes through the by-pass only.

Special Outlet Box—This box is constructed from No. 16 USg (0.0625 in.) galvanized sheet steel and is designed to be attached to the wall in the vicinity of the burner. The wall valve and the electric by-pass valve are mounted on the lower half of the box cover which is made non-removable. The upper half of the cover is made removable for making wiring connections within the box.

Electric Switch—This switch is made by Pass & Seymour, Inc., Syracuse, N. Y., Cat. No. 1311, and is of a die-labeled type, rated at 10 amperes, 125 volts, 5 amperes, 250 volts. It incorporates in its assembly a pilot light which glows as long as the pump motor is in operation. The switch assembly is mounted on a labeled outlet box intended to be attached to the wall at some convenient point.

Motor Pump Unit — This consists of a cast-iron base on which are a mounted 1/20-hp, 110-V., A-C or D-C motor and a pump which incorporates in its assembly a strainer and a by-pass valve. The pump is manufactured by the Webster Pump Company of Racine, Wisconsin, and incorporates in its assembly a strainer and by-pass valve. The pressure regulating or by-pass valve is set to limit the fuel delivery pressure to the burner to not more than 30 lbs. per square inch. Screw holes are provided for attaching the base of the unit to the floor. The motor is provided with a suitable outlet box for making conduit or wiring connections.

Inspection and Test were made of this burner and the burner was found to operate satisfactorily.

It is recommended that Nu-Vapomatic Oil Burner be approved for use in New York City in commercial and industrial installations with range oil or Number 1 fuel oil, on condition that the burner shall be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the following additional requirements:

1. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floor or walls with non-combustible fastenings as per Rule 7, 1A and 1B.
2. That the stand supporting the burner in the fire box of the boiler shall be securely bolted to the bottom thereof.

3. The oil supply container and pump to be mounted on a common base shall be firmly anchored to the floor and at a distance of at least 60 in. from the boiler in which the device is installed.
4. Only approved safety cans shall be used for the storage and filling of oil containers.
5. Floor beneath oil burner device shall be protected by a shield of at least 1/2 in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the boiler in which the device is installed.
6. The device shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved by the

BOARD OF STANDARDS AND APPEALS
For Use in New York City.

UNDER CAL. No. 708-39-SA.

Only an Approved Safety Can Shall Be Used in Filling This Storage Container.

7. That the tank shall be set rigidly in a cup shaped base receptacle of sufficient capacity to contain 1/3 the contents of the tank in case of leakage.
8. That the device shall be connected by a suitable flue pipe to a legal chimney, such chimney to be provided with a readily accessible cleanout door; that this flue be provided with a suitable stack check to nullify down draft or the device may be connected to the outer air.
9. That the boiler from the top thereof to the floor line shall be protected with a jacket 1 in. in thickness of either air-cell asbestos or 85 per cent. magnesia, except that an operating opening may be left open at the base not exceeding 50 sq. in. in area, said jacket to be secured by wire to the boiler and completely covered with sheet metal or with hard cement surface.
10. The storage of oil shall be limited to not more than 2 five gallon safety cans in reserve unless the installation is made in complete conformity with the oil burner rules.
11. That the burner nozzle tip be so constructed of material sufficiently tough so that the orifice cannot be enlarged by the operation of the oil flow control handle; that the face of this nozzle be not less than 1/16th of an inch thick; and that the lower portion of the boiler be so constructed that flame cannot escape from the sides.

The board reserves the right to add additional requirements if and when such additional requirements are deemed necessary.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance on certain conditions.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Nu-Vapomatic Oil Burner (for pressing machines), on condition that the appliance be manufactured, installed, operated and labelled, in accordance with above report.

820-39-SA.

APPLICANT—Albert G. Purdue Associates, owner.

SUBJECT—Lines Thermal Electric Conduction System (heating system for viscous liquids including fuel oil), approval of.

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APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(820-39-SA)

WHEREAS, Albert G. Purdue Associates, owner, filed June 19, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Lines Thermal Electric Conduction System, for Heating Oil; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 820-39-SA.

Subject: Lines Thermal Electric Conduction System (for heating oil)—Approval of.

July 18, 1939.

Albert G. Purdue Associates, filed June 19, 1939, an application with the Board of Standards and Appeals for approval of the Lines Thermal Electric Conduction System (for heating fuel oil, etc.).

The Lines tank unit is a specially designed tank Heating Viscous Liquids utilizes a principle which permits heating the oil from a point inside the tank to the point of use. Temperature is thermostatically controlled throughout the length of piping.

The System consists of:

The Lines transformer, a heavy duty unit, sized to take care of a broad range of length and flow, automatically adjusted to operating conditions. This transformer supplies electrical energy to make of the entire pipe system a long heating unit—heating the entire line of flow. Proper temperature is maintained by a thermostat.

The Lines tank unit is a specially designed tank head, electrically insulated, with outlets for suction and return. The tank unit screws into a standard tank tapping and is extended with standard steel pipe to the point of suction. The unit is electrically heated as part of the piping system and utilizes the principle of returning hot oil in close proximity to incoming cooler oil and refeeding to the burner through the suction line.

The thermostat, a compact, simple and dependable thermostat with special extended thermal tube which is not attached by fuel oil. The thermostat controls the primary of the Lines transformer, maintaining oil temperature throughout the system at a predetermined and adjustable point.

Inspection and test of this appliance was made at 303 Wooster street, New Haven, Conn., on July 22, 1939, and the appliance shut down at a predetermined temperature. The transformer used has been approved by the Underwriters Laboratories.

It is recommended that the Lines Thermal Electric Conduction System for heating fuel oil be approved for use in New York City, on condition that at no time shall the apparatus be set for a temperature in excess of 140°F, that the apparatus be limited to use with No. 5 or No. 6 fuel oil, U.S. Dept. of Commerce Standards and that the apparatus be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and bear a label reading, "Approved by the Board of Standards and Appeals for use in New

York City under Cal. No. 820-39-SA for No. 5 and No. 6 fuel oil."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Lines Thermal Electric Conduction System for heating fuel oil, on condition that the appliance be manufactured, installed and labelled in accordance with above report.

831-39-SA.

APPLICANT—Thatcher Furnace Company, owner.

SUBJECT—Thatcher Oil Burner (Gun Type), Model Nos. B-1 and B-2, approval of.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(831-39-SA)

WHEREAS, The Thatcher Furnace Company, owner, filed June 21, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Thatcher Oil Burner (Gun Type), Models B-1 and B-2; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 831-39-SA

Approval of Thatcher Oil Burner (Gun Type), Models B1 and B2.

The Thatcher Furnace Company filed June 21, 1939, an application with the Board of Standards and Appeals for approval of the Thatcher Oil Burner (Gun Type), Models B1 and B2.

This burner is of the pressure atomizing gun type and consists of the following assembly:

The blower housing and air tube with flange is a one piece, gray iron casting with an asbestos gasket between the flange and front plate.

The motor Century Electric $\frac{1}{8}$ H.P. is of the flange mounted type equipped with a manual overload protector.

A sirocco-type aluminum blower is mounted on the motor shaft and a flexible couple is connected from the motor shaft to the pump.

The Fuel stat (Tuthill) consists of the pump strainer and pressure regulating valve. The transformer is a Jefferson Electric grounded. The atomizer is stainless steel.

The controls consist of Minneapolis-Honeywell protecto-relay R-117, Minneapolis Honeywell Aquastat MH104-A pressuretrol.

Inspection and test of this burner was made at 2315 Quentin Road, Brooklyn. There were no flare backs or undue carbon deposits. On shutting off the oil supply the burner shut down in 90 seconds, Model B-1

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has a capacity of 1.00 to 1.65 gallons per hour and B-2 from 2 to 5 gallons per hour.

It is recommended that the Thatcher Oil Burner, Models B-1 and B-2 be approved for use in domestic and commercial installations with fuel oil not heavier than No. 3 U.S. Dept. of Commerce Standards, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, on condition that the burner bear a label permanently affixed, reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 831-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

and

WHEREAS, this report recommended the approval of the appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Thatcher Oil Burner (Gun Type) Models B-1 and B-2, on condition that the appliance be manufactured, installed and labelled in accordance with above report.

841-39-SA.

APPLICANT—David Kaufman, for Demand Oil Burner Co., owner.

SUBJECT—Demand Oil Burner, Model A (for Pressing Machines), approval of.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(841-39-SA)

WHEREAS, David Kaufman, for Demand Oil Burner Co., owner, filed June 22, 1939, an application with the Board of Standards and Appeals for approval of the appliance, known as Demand Oil Burner Model A (for Pressing Machines); and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 841-39-SA

Approval of Demand Oil Burner, Model A
(for Pressing Machines).

David Kaufman, for Demand Oil Burner Co., owner, filed June 22, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Demand Oil Burner, Model A (for Pressing Machines).

This burner was inspected and tested at 1804 Washington Avenue, the Bronx. The burner unit is designed for operation with a 6-gallon storage tank to be used in pressing machines and similar devices on which small oil burning equipment is required. The burner consists of the following assembly:

A circular iron casting perforated with holes on the top, which holes are fitted with lava tips. Suspended above the burner casting is a long "U" shaped generator tube which is connected directly to the oil supply line and is used for vaporizing the oil. Connected to

the burner by rigid iron piping is a gas connection and shut off valve. The oil is drawn from the tank by means of a Webster pump connected to a 1/6 H.P. G.E. Motor. The pump is equipped with a pressure regulating valve and strainer.

Controls: Minneapolis Honeywell Stack Switch and General Controls Solenoid oil valve and a Perfex Pressuretrol.

When the burner is started the gas is ignited and when the heat in the stack switch is raised sufficiently high the stack switch opens the oil valve and starts the motor. The gas supply is then shut off. The burner was put into operation and the oil supply shut off. On two successive tests the controls shut the burner down in 51 and 53 seconds respectively. The stack control is so set that under these conditions its normal range is from 30 to 90 seconds. The burner was then put into normal operation and all the controls were found to function as designed.

The report of the Division of Combustibles is a part of the record in this application.

As a result of this inspection and test, it is therefore recommended that the Demand Oil Burner, Model A, be approved for the use of not heavier than No. 3 grade fuel oil when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals. It is further recommended that the following conditions be imposed for the installation of said burners:

1.—When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floor or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

2.—That the stand supporting the burner in the fire box of the boiler shall be securely bolted to the bottom thereof.

3.—The oil supply container and pump to be mounted on a common base shall be firmly anchored to the floor and at a distance of at least 60 in. from the boiler in which the device is installed.

4.—Only approved safety cans shall be used for the storage and filling of oil containers.

5.—Floor beneath oil burner device shall be protected by a shield of at least 1/2 in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the boiler in which the device is installed.

6.—The device shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved by the

BOARD OF STANDARDS AND APPEALS

For use in New York City

UNDER CAL. NO. 841-39-SA

Only an approved safety can shall be used in filling this storage container.

7.—That the tank shall be set rigidly in a cup shaped base receptacle of sufficient capacity to contain 1/3 the contents of the tank in case of leakage.

8.—That the device shall be connected by a suitable flue pipe to a legal chimney, such chimney to be provided with a readily accessible cleanout door; that this flue be provided with a suitable stack check to nullify down draft or the device may be connected to the outer air.

9.—That the boiler from the top thereof to the floor line shall be protected with a jacket 1 in. in thickness of either air-cell asbestos or 85 per cent. magnesia, except that an operating opening may be left open at the base not exceeding 50 sq. in. in area, said jacket to be secured by wire to the boiler and completely covered with sheet metal or with hard cement surface.

MINUTES

10.—The storage of oil shall be limited to not more than 2 five gallon safety cans in reserve unless the installation is made in complete conformity with the oil burner rules.

11.—That the burner nozzle tip be so constructed of material sufficiently tough so that the orifice cannot be enlarged by the operation of the oil flow control handle; that the face of this nozzle be not less than 1/16th of an inch thick and that the lower portion of the boiler be so constructed that flame cannot escape from the sides.

The Board reserves the right to add additional requirements if and when such additional requirements are deemed necessary.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Demand Oil Burner, Model A (for Pressing Machines), on condition that the appliance be manufactured, installed, operated and labelled in accordance with above report.

973-39-SA.

APPLICANT—The Estate Stove Company, owner.

SUBJECT—Estate In-A-Floor Gas Heatrolas (flue connected), Nos. 75, 45, 30 and 20, approval of.

APPEARANCES—

For Applicant: N. J. Griffiths, W. T. Eddy and N. E. Berth.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(973-39-SA)

WHEREAS, the Estate Stove Company, owner, filed July 18, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Estate Flue Connected In-A-Floor Gas Heatrolas, Nos. 75, 45, 30 and 20; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 973-39-SA.

Subject: Estate (Flue Connected) In-A-Floor Gas Heatrolas Nos. 75, 45, 30 and 20.

The Estate Stove Company, owner, filed July 18, 1939, an application with the Board of Standards and Appeals for approval of the Estate In-a-Floor Gas Heatrolas under the provisions of C26-690.0 Administrative Building Code (11.1.7.1, 11.1.7.3 and 11.1.7.4).

This appliance consists of a main gas burner, a pilot burner, a solenoid valve, safety cutoff valve, a main gas cock, a pilot shutoff cock and a thermostatic control, arranged in a cabinet designed to be placed between beam beneath the floor with a flue connection to carry off products of combustion.

This appliance is manufactured in four sizes, No. 20, No. 30, No. 45 and No. 75, based on the B.T.U. output,

No. 75 representing 75,000 B.T.U. and No. 20, 20,000 B.T.U., No. 30, 30,000 and No. 45, 45,000.

This appliance was inspected and tested at 57-36 Myrtle avenue, Queens, where these models were installed and found to be satisfactory. The appliance has been approved by the American Gas Association.

It is recommended that the Estate In-a-Floor Gas Heatrolas, Models No. 75 and No. 20, No. 30 and No. 45, be approved for other than explosive or combustible atmosphere, on condition that the appliance bear a label reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 973-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as Estate Flue Connected In-A-Floor Gas Heatrolas, Nos. 75, 45, 30 and 20 on condition that the appliance be manufactured, installed and labelled in accordance with above report.

426-38-SA.

APPLICANT—R. E. Daly, for American Radiator Co owner.

SUBJECT—Arcoflame Oil Burner—Amendment of Resolution to include approval of Model C.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(426-38-SA)

WHEREAS, R. E. Daly, for the American Radiator Company, owner, filed May 31, 1938, an application with the Board of Standards and Appeals for the approval of the device known as the Arcoflame Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board, supplemented by that of the Division of Combustibles of the Fire Department, was substantially as follows:

Re: Cal. No. 426-38-SA.

Arcoflame Oil Burner.

July 12, 1938

This burner was installed in a domestic, steam heating boiler, and consists of the following assembly:—An Ohio 1/8 H.P. Motor; a Webster fuel unit, consisting of pump, strainer; regulating valve; a Torrington blower and a Harsch nozzle.

Ignition.—Electric Jefferson transformer.

Controls.—Standard Minneapolis Honeywell controls, consisting of Protectorelay R-117 and Pressuretrol L-404.

The burner comes in two models—one for conversion type installations and one for unit type boilers. The only difference, however, between the two models is in the mounting and the length of the blast tube.

MINUTES

With the oil supply shut off and a cold combustion chamber, the burner was put into operation and on two successive tests the controls functioned and shut the burner down in fifty-nine and sixty-one seconds respectively.

The burner was then put into normal operation and during the period of the test there were no flarebacks due to faulty ignition and the flame was free of smoke and soot.

As a result of this inspection and test, it is recommended that the Arcoflame Oil Burner be approved for domestic, commercial and industrial installation, when installed and operated in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and with fuel oil not heavier than No. 3 U. S. Dept. of Commerce Standards.

and

WHEREAS, this appliance was approved by the board July 12, 1938, and the owner requested an amendment of the resolution, to include Model C; and

WHEREAS, this model was submitted to the committee on tests for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 426-38-SA.

Amendment of Resolution to include approval of Arcoflame Oil Burner, Model C.

The Board of Standards and Appeals on July 12, 1938, approved the Arcoflame Oil Burner. Request has been made by the American Radiator Co., owner, for approval of the Arcoflame Oil Burner, Model C.

This application was reopened by the board February 28, 1939, for test and report.

The model C Arcoflame Burner operates on the same principles as used on the previous Model now called B Burner. It is a gun-type pressure-atomizing burner with electric ignition, covering the range from 1 to 3½ gallons of oil per hour.

Pump and motor mounted on a cast-iron blower housing. The 5½ in. blower wheel is mounted directly on the motor shaft and carries the coupling which drives the pump. The motor operates at 1750 R.P.M. The air supplied to the burner can be adjusted by an air damper at the intake side of the blower and further adjustment is possible by the use of a cup in the turbulator. The air is blown into a steel air tube and terminates into a turbulator with twisting vanes. The center core of the turbulator is filled out by an adjustable metal cup which forces the air to flow through the vanes and obtain a definite direction of spin. This cup can be adjusted to suit the various firing rates.

The transformer is mounted at the side beneath the motor and is of the 10,000 volt, mid-way ground type. It is connected to the electrodes by means of suitable insulators. Bus bars, oil pipe, electrodes and adjustable cup form a removable inner assembly of the burner.

The burner comes in two styles. One is mounted on a base with adjustable legs which, in turn, can be attached to the floor by running a lag screw through the legs. The other style has no base but is provided with suitable flanges for mounting it directly to the firing plate of the boiler.

The controls consist of Arco flame (Detroit Lubricator) Pressuretrol 450-BA.1 Aquastat McDonald Low Water cut-off Thermostat Stack relay No. 672.

The burner was tested and found to operate without flareback or undue carbon deposits. On shutting off oil the burner shut down in 65 seconds.

The burner has been approved by the Underwriters Laboratories Mis. Pet. 1131 Application No. 39C 133.

It is recommended that the resolution of the board be amended to include the approval of Model C and

to add Model B to former approval with the same conditions under which the former model was approved.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Arcoflame Oil Burner, Model B and Model C, for domestic, commercial and industrial installation, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards, on condition that there shall be permanently attached to each burner installed a label reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 426-38-SA.

208-39-SA.

APPLICANT—American Radiator and Standard Sanitary Company, owner.

SUBJECT—Sanitary Tank Vacuum Breaker—Amendment to resolution.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(208-39-SA)

WHEREAS, Lee A. Kelly, for the American Radiator and Standard Sanitary Corporation, owner, filed February 23, 1939, an application with the Board of Standards and Appeals for an approval of the American Radiator and Standard Sanitary Corporation Vitreous China W. C. Tank, Model F-4050; and

WHEREAS, this appliance was approved by the board May 16, 1939 on the basis of the following report:

REPORT OF COMMITTEE ON TESTS

Cal. No. 208-39-SA.

Approval of American Radiator and Standard Sanitary Corporation, Vitreous China Water Closet Tank, Model F-4050.

May 15, 1939.

Lee A. Kelly, for the American Radiator and Standard Sanitary Corporation, owner, filed February 23, 1939, an application with the Board of Standards and Appeals for approval of the American Radiator and Standard Sanitary Corporation Vitreous China, W. C. Tank, Model F-4050, under the provision of C26-1277.0-i-(14.8.2.9) Administrative (Building) Code.

The flush tanks are made of vitreous china and have a total capacity of 6½ gallons with 5½ gallons up to top of overflow tube and a flush at each operation of 4 gallons at moment of flush with additional water flowing in.

This appliance was inspected and tested at No. 50 West 40th Street, New York City, on May 6, 1939 and it was found that the flush was adequate.

It is recommended that the American Radiator and Standard Sanitary Corporation, Vitreous China W. C. tank, Model F-4050, be approved for use in New York

MINUTES

City, on condition that the appliance bear a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 208-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, request was made for an amendment to the resolution, to include approval of the Sanitary Tank-Vacuum Breaker; and

WHEREAS, this matter was submitted to the committee on tests for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. 208-39-SA

Amendment of Resolution to include the
Approval of the American Radiator and
Standard Sanitary Company Sanitary
Tank-Vacuum Breaker.

July 18, 1939.

On May 16, 1939, the Board of Standards and Appeals approved the American Radiator and Standard Sanitary Corp. Vitreous China W. C. Tank Model F-4050 under the provisions of C26-1277.0 i (14.8.2.9) Administrative Building Code. Request is now made to include the anti-vacuum ballcock which is an essential part of the tank equipment under the provisions of C26-1277.0 h (14.8.2.8) Administrative Building Code.

This appliance was subjected to a vacuum test on April 27, 1939 at the testing bench of the Department of Water Supply, Gas and Electricity at 32 Vandewater Street, New York City.

The unit which is designed as a vacuum breaker for ball cocks only was subjected to two vacuum tests, the equivalent of 26 inches of mercury. No simulated contaminated water was drawn from the flush tank in either test with the riser level.

The mechanical principle of the unit is that the flow of water is directed above the ball cock shut off seat with a circular chamber, the bottom of which is pierced with diagonal openings causing the water in the spiral formation to strike the supply pipe and thus flow into the tank. This action minimized noise and as the openings are more than one inch above the overflow level as governed by the overflow pipe atmospheric relief is readily afforded for any vacuum which may occur.

It is recommended that the resolution adopted by the board May 16, 1939 be amended to include the approval of the Sanitary Tank-Vacuum Breaker as part of the tank equipment.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the American Radiator and Standard Sanitary Corporation Vitreous China W.C. Tank, Model F-4050, when manufactured, operated and labelled in accordance with the above report, dated May 15, 1939.

Resolved further, that the Board of Standards and Appeals does hereby approve the American Radiator and Standard Sanitary Company Sanitary Tank-Vacuum Breaker, when manufactured and installed in accordance with

the report of July 18, 1939, for use in the approved tank, on condition that this appliance bear a label reading in a circle around the periphery. at the top, the word "APP'VD"; at the bottom, "B S & A"; in the middle, "NYC-208-39-SA."

MATERIALS SUBMITTED FOR APPROVAL

230-38-SM.

APPLICANT—United States Gypsum Company, owner.
SUBJECT—Application for consideration—reopening and amendment—re Approval of Pyrobar Short Span Gypsum Roof Tile manufactured by United States Gypsum Company.

APPEARANCES—

For Applicant—J. J. Fernstermaker.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO OPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(230-38-SM)

WHEREAS, the United States Gypsum Company, owner, filed April 7, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Pyrobar Short Span Gypsum and Roof Tile; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests was as follows:

REPORT OF COMMITTEE ON TESTS

Re.: Cal. No. 230-38-SM.

Subject: Pyrobar Short Span Gypsum Tile.

November 28, 1938.

The U. S. Gypsum Co. of New York City filed on April 7, 1938, an application with the Board of Standards and Appeals for approval of their tile known as Pyrobar Short Span Gypsum Tile under section C26-619.0 sub. b A.C. (10.3.1.BC) for use on horizontal and sloping roofs directly above the roof trusses.

U.S.G. Pyrobar Short Span Gypsum Tile are made of gypsum conforming to the A.S.T.M. Requirement C26-33. The various types of Pyrobar Short Span Gypsum Tile are reinforced as follows:

Type	Reinforcements
3" Hollow	2 $\frac{3}{8}$ " reinforcing channels No. 12 and No. 14 gauge electric
3" Solid	welded galvanized wire mesh
3 $\frac{1}{2}$ " and 4" Hollow	4 $\frac{1}{2}$ " x 4 $\frac{1}{8}$ "

The Pyrobar Short Span units are manufactured in the following sizes:

- 3" Hollow—3 in. thick by 12 in. wide and 30 in. long, having four cores tapering from 1 $\frac{7}{8}$ in. in diameter to 1 $\frac{3}{4}$ in.
- 3" Solid—3 in. thick by 12 in. wide and 30 in. long.
- 3 $\frac{1}{2}$ " Hollow—3 $\frac{1}{2}$ in. thick by 12 in. wide and 30 in. long, having four cores tapering from 1 $\frac{7}{8}$ in. in diameter to 1 $\frac{3}{4}$ in.
- 4" Hollow—4 in. thick by 12 in. wide and 30 in. long, having three cores tapering from 2.57 in. in diameter to 2.45 in.

The Pyrobar Short Span Gypsum Tile were subjected to load tests at Columbia University under the direction of Prof. W. J. Krefeld, Director, Engineering Materials Laboratory under the provisions of C26-

MINUTES

626.0 AC (10.3.8 BC) for a simple span. A copy of this test is filed with the application.

Three specimens of 3 in. hollow tile were tested resulting in an average of 1,570 lbs. load and an average deflection of .385 in. over an area of 2.5 sq. ft. A similar test of the 3 in. solid tile was made with an average of 1,020 lbs. load over an area of 2.5 sq. ft.

Tests were also made on 4 in. hollow tile, the average load of 5 specimens tested 1,618 lbs. area 2.5 sq. ft. and on the 3½ in. hollow tile the average load of 5 specimens was 1,486 lbs. over an area of 2.5 sq. ft. All of these tests were made on the basis of a maximum span of 2 ft. 6 in. and tested to meet the requirements of C26-626.0 AC (10.3.8 BC) for a simple span.

On the basis of these load tests, it is recommended that Pyrobar Short Span Gypsum Tile for 2 ft. 6 in. spans be allowed the following total loads:

3" Solid	100 lbs.
3" Hollow	100 lbs.
3½" Hollow	120 lbs.
4" Hollow	135 lbs.

Approval is recommended under C26-619.0, Administrative Code (10.3.1. BC), for roofs of Class 1 and Class 2 construction where the fire protective covering is permitted to be omitted from roof trusses as provided in C26-618.0, Administrative Code (10.2.8 BC).

It is further recommended that these tiles shall be labeled or marked with type of gypsum tile "U.S.G. Pyrobar Short Span Gypsum Tile (3 in. Solid), (3 in. Hollow), (3½ in. Hollow), or (4 in. Hollow)" and with the label or mark "Approved by the Board of Standards and Appeals, Cal. No. 230-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this material was approved by the board and applicant requested a correction of the report which correction is hereby made.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the U.S.G. Pyrobar Short Span Gypsum Roof Tile, for the uses specified and in the report, when manufactured, installed, and labelled in accordance with the above report.

531-38-SM.

APPLICANT—American 3 Way-Luxfer Prism Co., Inc., owner.

SUBJECT—Approval of Clad-Crete Rooflights, manufactured by American 3 Way-Luxfer Prism Co., Inc.

APPEARANCES—

For Applicant—George E. Strehan and Mr. McEvoy.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(531-38-SM)

WHEREAS, the American 3-Way Luxfer Prism Co., Inc., owner, filed June 27, 1938, an application with the Board

of Standards and Appeals for approval of the material known as the Clad Crete Roof Lights; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re.: Cal. 531-38-SM.

Subject: Approval of Clad-Crete Roof Lights.

July 24, 1939.

The American 3-Way Luxfer Prism Co., Inc., owner, filed June 27, 1938, an application with the Board of Standards and Appeals for approval of the Clad Crete Roof Lights under the provisions of Section C26-191.0 (2.2.3) Administrative Building Code.

½ inch or ⅝ inch of ribbed or rough wire glass. 9⅛" x 9⅛" x 2¼" supported on a Two-Way Concrete Grid with 9⅝" x 9⅝" spacing.

The Concrete Ribs are composed of 1:1½:2 concrete with maximum aggregate passing a ⅜" mesh.

The Concrete Grid is reinforced with ⅜" O deformed bars of Intermediate Grade Steel, protected with an average of 1" of concrete.

The Extruded Bronze Grid, 3/32" thick, is anchored continuously in the concrete ribs to hold the glass blocks.

Outside Bronze Frame forms a continuous reglet to receive flashings.

Each glass unit is bedded in sulphur compound and protected on all sides with thermal insulation between the supporting construction and the top waterproof seal.

When span exceeds 5'-8", Two-way Construction is supported on intermediate concrete ribs (Plate 2) and thoroughly caulked on all sides with waterproof compound.

This material has been designed under the reinforced concrete regulation of the New York City Administrative Code, Sec. C26, for a limited capacity of 40 lbs. per sq. ft. using controlled concrete of 4000 lbs. and modulus of elasticity of 3,000,000 to 4,000,000 lbs. per sq. in. as determined by test on cylinders, report of which test is a record in this case.

It is recommended that Clad Crete Roof Lights with 3 inch ribs spaced 9⅝ inches on centres be approved for a live load of 40 lbs. per sq. ft. on 1 way spans not exceeding 5 ft. 8 in. and on 2 way spans not exceeding 8 ft. 2 inches, and that all the details of construction be in accordance with the specifications and computations filed with the application and that the American 3-way Luxfer Prism Co., Inc., be responsible for the installation of all such construction, on condition that each installation have a metal plate embedded in the concrete reading: "Approved by the Board of Standards and Appeals under Cal. 531-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of the material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Clad Crete Roof Lights, *on condition* that the material be manufactured, installed and labelled in accordance with above report.

532-38-SM.

APPLICANT—American 3 Way-Luxfer Prism Co., Inc., owner.

MINUTES

SUBJECT—Approval of Thermag Rooflights, manufactured by American 3 Way Luxfer Prism Co., Inc.

APPEARANCES—

For Applicant: George E. Strehan and Mr. McEvoy.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(532-38-SM)

WHEREAS, American 3-Way Luxfer Prism Co., Inc., owner, filed June 27, 1938, an application with the Board of Standards and Appeals for approval of the material known as Thermag Rooflights; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 532-38-SM.

Approval of Thermag Rooflights.

July 24, 1939

American 3-Way Luxfer Prism Co., Inc., owner, filed June 27, 1938, an application with the Board of Standards and Appeals for approval of the material known as Thermag Rooflights under the provisions of C26-191.0 (2.2.3) Administrative Building Code.

This material is constructed of semi-vacuum glass blocks manufactured by Owen-Illinois Glass Company, $9\frac{1}{8}$ " x $9\frac{1}{8}$ " x $2\frac{1}{4}$ " supported on a Two-Way Concrete Grid with $9\frac{5}{8}$ " x $9\frac{5}{8}$ " spacing.

Concrete Ribs composed of 1:1½:2 concrete with maximum aggregate passing a $\frac{3}{8}$ " mesh.

The concrete Grid is reinforced with $\frac{3}{8}$ " O deformed bars of Intermediate Grade Steel, protected with an average of 1" of concrete.

The extruded Bronze Grid, $\frac{3}{32}$ " thick, is anchored continuously in the concrete ribs to hold the glass blocks.

Outside Bronze Frame forms a continuous reglet to receive flashings.

Each Glass Block is bedded in sulphur compound and protected on all sides with thermal insulation between the supporting construction and the top waterproof seal.

When span exceeds 5' 8", Two Way construction is supported on intermediate concrete ribs (Plate 2) and thoroughly caulked on all sides with waterproof compound.

This material has been designed under the reinforced concrete regulation of the New York City Administrative Code Sec. C26, for a limited capacity of 40 lbs. per sq. ft. using controlled concrete of 4000 lbs. and modulus of elasticity of 3,000,000 to 4,000,000 lbs. per sq. in. as determined by test on cylinders, report of which test is a record in this case.

It is recommended that Thermag Roof Lights with 3 inch ribs spaced $9\frac{5}{8}$ inches on centres be approved for a live load of 40 lbs. per sq. ft. on 1 way spans not exceeding 5 ft. 8 in. and on 2 way spans not exceeding 8 ft. 2 inches, and that all the details of construction be in accordance with the specifications and computation filed with the application and that the American 3-way Luxfer Prism Co., Inc., be responsible for the installation of all such construction, on condition that each installation have a metal plate embedded in the concrete reading: "Approved by

the Board of Standards and Appeals under Cal. 532-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of the material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Thermag Roof Lights, *on condition* that the material be manufactured, installed and labelled in accordance with above report.

534-38-SM.

APPLICANT—American 3 Way-Luxfer Prism Co., Inc., owner.

SUBJECT—Approval of 3 Way Armored Sidewalk Lights or Vault Lights, manufactured by American 3 Way Luxfer Prism Co., Inc.

APPEARANCES—

For Applicant: George E. Strehan and Mr. McEvoy.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(534-38-SM)

WHEREAS, the American 3-way Luxfer Prism Co., Inc., owner, filed June 27, 1938, an application with the Board of Standards and Appeals for approval of the material known as the 3-way Armored Sidewalk Lights; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re.: Cal. 534-38-SM.

Approval of 3-way Armored Sidewalk Lights.

July 24, 1939.

American 3-Way Luxfer Prism Co., Inc., owner, filed June 27, 1938, an application with the Board of Standards and Appeals for approval of the material known as 3-Way Armored Sidewalk Lights under the provisions of C26-191.0 (2.2.3) Administrative Building Code.

3-Way Sidewalk Lights are constructed of $2\frac{3}{4}$ " round by $\frac{7}{8}$ " thick No. 12 Lens in $3\text{-}\frac{3}{16}$ " galvanized C.I. Shields, or $3\frac{1}{2}$ " square by $\frac{3}{4}$ " thick Lens set in a 4" x 4" rectangular galvanized C.I. shield.

Grid composed of concrete ribs spaced $4\frac{1}{4}$ " or 5" on centers respectively.

Cast iron shields are poured monolithically with concrete ribs composed of 1:1½:2 concrete, thoroughly vibrated to form a dense, impervious concrete frame.

This grid reinforcement consists of $\frac{3}{8}$ " round deformed bars of Intermediate Grade Steel in both directions, protected with an average of 1" of concrete.

Space between glass prisms and frames thoroughly caulked with special 3-Way Tar and Sulphur compound.

The material has been designed under the reinforced concrete regulations of the New York City Administrative Code, Sec. C26—for a live load capacity of 300 lbs. per sq. ft. using controlled concrete

MINUTES

of 4000 lbs. and modulus of elasticity of 3,000,000 to 4,000,000 lbs. per sq. in. as determined by test on cylinders, report of which test is a record in this case.

It is recommended that 3-Way Armored Sidewalk Lights with 2½ inch ribs spaced 4¼ inches on centers for the round lens be approved for a live load of 300 lbs. per sq. ft. on 1 way spans not exceeding 4 feet 2 inches and on 2-way spans not exceeding 6 feet, 6 inches.

And that 3-Way Armored Sidewalk Lights with 2½ inch ribs spaced 5 inches on centers for the square lens be approved for a live load of 300 lbs. per sq. ft. on 1-way spans not exceeding 3 ft. 9 ins. and on 2-way spans not exceeding 5 ft. 11 ins. and that all the details of construction be in accordance with the specifications and computations filed with the application and that the American 3-way Luxfer Prism Co., Inc., be responsible for the installation of all such construction, and that each installation bear a metal plate embedded in the concrete reading: "Approved by the Board of Standards and Appeals, Cal. 534-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the 3-Way Armored Sidewalk Lights, on condition that the material be manufactured, installed and labelled in accordance with the above report.

849-38-SM.

APPLICANT—Century Cement Mfg. Co. Inc., owner.

SUBJECT—Approval of Century Cement manufactured by Century Cement Mfg. Co. Inc.

APPEARANCES—

For Applicant: W. H. South.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(849-38-SM)

WHEREAS, The Century Cement Mfg. Co., Inc., owner, filed October 6, 1938, an application with the Board of Standards and Appeals for approval of the material known as Century Masonry Cement; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 849-1938-SM.

Subject: Century Masonry Cement, Approval of

July 19, 1939

The Century Cement Mfg. Co., Inc., filed on October 6, 1938, an application for the approval of Century Masonry Cement, manufactured by the Century Cement Mfg. Co., Inc., Rosendale, New York, for use as a Mortar under Section C-26-312.0, Paragraph 2, of the Administrative Code (7.1.1.7.3 BC) and Section C-26-314.0 Administrative Code (7.1.1.9 BC). This is a natural cement with a water-proofing agent added.

Specimens were prepared at the material testing laboratory of Cornell University pursuant to Federal Specifications SS-C-181B and SS-C-158 and tests were made in the presence of representatives of this Committee at Cornell University with the following results:

Test for	Results of Test	Fed. Spec. SS-181 B	A.S.T.M. Spec.
Fineness	97.9%	Min. 88%	80%
Initial Set	4 hrs. 0 min.	Min. 60 min.	Min. 60 min.
Final Set	6 hrs. 0 min.	Max. 48 hrs.	Max. 48 hrs.
Soundness	Sound	Sound	Sound
Water retention	95%	Min. 65%	.....
Water repellancy	0.37	Max. 0.90	.....
Compressive Strength:			
(Average of 5 specimens pounds per sq. inch)			
Age 7 days	1195	500	.....
Age 28 days	1649	100	.....
Tensile Strength:			
(Average of 6 Specimens pounds per sq. inch)			
Age 7 days	242	.....	175
Age 28 days	334	.....	More than at 7 days

CHEMICAL ANALYSIS

Loss on Ignition	8.65
SiO ₂	20.12
Fe ₂ O ₃	2.50
Al ₂ O ₃	5.85
CaO	51.10
MgO	9.80
SO ₃	1.37

These tests meet the requirements of A.S.T.M. Specifications C-91-32T and Federal Specifications SS-C-181B, and it is accordingly recommended that Century Masonry Cement be approved for use in New York City pursuant to Section C-26-312.0, Paragraph 2, of the Administrative Code (7.1.1.7.3 BC) and C-26-314.0 Administrative Code (7.1.1.9 BC).

A complete description of the operation of the manufacturing plant has been filed with this Board and an estimate of the supply of raw material available filed with this office indicates that there is a sufficient amount of raw stock to manufacture 80,000,000 barrels, which at the present rate of consumption, will be sufficient to supply the mill for a period of 200 years.

This material may be accepted as a substitute for cement mortar under C-26-314.0, sub. 6 (7.1.1.9) wherein it provides for the use of other mortars as a substitute for cement mortars if such other mortar develops a strength of at least 150 lbs. per sq. in. at the end of 28 days.

This material is shipped in paper and cotton bags and in bulk. It is recommended that monthly mill reports of tests certified by the applicant's Chief Chemist be filed with this Board and that the bags in which this material is marketed be labeled or marked "Approved by the Board of Standards and Appeals for use in New York City as a Masonry Cement under Cal. No. 849-1938-SM". When shipped in bulk its bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

MINUTES

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Century Masonry Cement, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

110-39-SM.

APPLICANT—F. L. Smidth and Company, owner.

SUBJECT—Moler Partition Blocks, Floor blocks, slabs, etc., and Moler Insulating Brick—approval of.

APPEARANCES—

For Applicant—Edwin W. Kleinert.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(110-39-SM)

WHEREAS, F. L. Smidth and Company, owner, filed January 27, 1939, an application with the Board of Standards and Appeals for approval of a shipment of material, known as Moler Partition Blocks; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 110-39-SM

Subject: Moler Partition Blocks.

July 20, 1939.

The F. L. Smidth and Company filed a request with the Board of Standards and Appeals for the approval of a shipment of Moler Partition Blocks which were selected and identified by the U. S. Consul to Denmark, (The seals and certificate are filed herein) under C-26-209.0 Subdivision D (7.1.1.4) but with no claim or test offered to meet fire resistive requirements of the code, and that the use of this material be limited to partition in Class 3 construction.

The Moler Partition Blocks are manufactured from a Diatomic Earth with an added mixture of 10% Plastic Clay. The material known as Moler was formed at the bottom of the sea in the Tertiary period, and is composed of fossil remains and cellular structures. The analysis of this material after burning is claimed to have the following composition:—Silica 76.5%; Alumina 10.1%; Ferric Oxide 8.9%; Lime 1.1%; Magnesia 1.4%; Soda 0.7%; Potash 1.3%.

The diatoms which comprise the Moler material consists of an abstracted silica from the sea by the diatoms and surrounds the air cells, thus creating a cellular structure light in weight with good insulating properties against heat and sound. This material is mined from a deposit raised from the sea at Skarrehage, Mors, Denmark, and is manufactured into blocks by the Skarrehage Moler Works, a subsidiary Company of the applicant. This material, consisting as it does of 90% microscopic diatoms mixed with 10% fine plastic clay provides a composition ready for moulding into blocks. It is burned at a temperature of 1600° fahrenheit with nothing added excepting a small quantity of water. The finished product is a light unit and when dry has a specific gravity of 0.80. Tests were conducted on samples of this shipment of materials at the plant of the applicant located at

Elizabeth, New Jersey on July 7, 1939 for the purpose of meeting the requirements for use of this material as a partition block, before a committee of the Board.

CRUSHING TEST

Tests as hereinafter listed were made on blocks tested without any mortar or other bed, at top, or bottom the material being in direct contact with block and head of the testing machine. Testing machine used was Tenius Olson, 200,000 lbs. capacity. The test consisted of crushing blocks of 3 and 4 inches in width to destruction, first with cells horizontal and with cells vertical as follows:

3" Blocks

8 $\frac{5}{8}$ " x 8" x 3" blocks, cells horizontal

Test #1 Load 10,680 —445 lbs./sq. in.

Test #2 Load 13,880 578 lbs./sq. in. 583 lbs./sq. in.

Test #3 Load 17,420 726 lbs./sq. in. Average

8 $\frac{3}{4}$ " x 8" x 3" blocks, cells vertical

Test #13 Load 28,460 —1085 lbs./sq. in. Average

Test #16 Load 25,060 955 lbs./sq. in. 1020 lbs./sq. in.

4" Blocks

8 $\frac{3}{4}$ " x 8 $\frac{3}{4}$ " x 4" blocks, cells horizontal

Test #10 Load 9,920 —283 lbs./sq. in.

Test #11 Load 13,080 374 lbs./sq. in. Average

Test #12 Load 11,400 326 lbs./sq. in. 328 lbs./sq. in.

8 $\frac{3}{4}$ " x 8" x 4" blocks, cells vertical

Test #7 Load 20,460 —585 lbs./sq. in. Average

Test #8 Load 30,500 871 lbs./sq. in. 678 lbs./sq. in.

On the basis of these tests the committee recommends the approval of the Moler Partition Blocks under C-26-309.0 Paragraph D (7.1.1.4) reading as follows:—D—"When used in partitions, fireproofing and furring which are unexposed to the weather, solid or hollow concrete building block or tile having a minimum ultimate compressive strength of three hundred pounds per sq. in. of gross area tested as laid in the wall may be used; provided that such units shall be marked on their face with two readily discernible parallel grooves to indicate that such units are for partition, fireproofing or furring purposes" for use in partitions where no fire resistive rating is required.

Under this approval the number of blocks is limited to the shipment of 1000 units specified by this Calendar number. The remaining materials of this shipment will be subjected to fire resistive tests at a later date. However, nothing herein contained shall preclude the use of additional shipments of this material for use in partitions where no fire resistive rating is required, after subjecting samples of such shipments to compressive tests as herein provided. It is further recommended that each block be stamped, marked or labeled "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 110-39-SM" for use in partitions requiring no fire resistive rating.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this shipment of material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Moler Partition

MINUTES

Blocks on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

113-39-SM.

APPLICANT—Keystone Portland Cement Company, Inc., owner.

SUBJECT—Keystone Portland Cement and Velroca High-Early Strength Portland Cement, approval of.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(113-39-SM)

WHEREAS, the Keystone Portland Cement Company, Inc., filed January 28, 1939, an application with the Board of Standards and Appeals for approval of the material known as Keystone Portland Cement and Velroca High-Early Strength Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 113-39-SM.

Subject: Keystone Portland Cement and Velroca High-Early Strength Portland Cement, approval of.

July 24, 1939.

The Keystone Portland Cement Co., Inc., filed with the Board on January 28, 1939, an application for approval of Keystone Portland Cement and Velroca High-early Strength Portland Cement, as manufactured by the applicant at Bath, Pa., for use in New York City, pursuant to Section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC).

These materials were tested in the presence of a representative of the committee on tests at the applicant's laboratory at Bath, Pa., and R. W. Hunt Co., New York.

A record of the supply of raw materials filed with the Board indicates that consistently homogeneous raw materials are available for at least 50 years.

Flow sheets have been filed indicating the methods of manufacture of these products.

Samples of these materials were tested in accordance with the requirements of Federal specifications SS-C-191-A and SS-C-201 and pursuant to the methods prescribed in Federal specification SS-C-158, with the following results:

KEYSTONE PORTLAND CEMENT PHYSICAL TESTS

	<i>As Tested</i>	<i>Federal Spec. SSC 191a</i>	<i>A.S.T.M. Spec.</i>
Surface Area	1765 sq. cm. Gm.	1500	
Soundness	O.K.	Sound	Sound
Initial Set (Gillmore)	2 hr. 30 min.	Not less than 60 min.	Not less than 60 min.
Final Set (Gillmore)	4 hr. 20 min.	Not more than 10 hrs.	Not more than 10 hrs.

Compressive Strength:

(Average of 6 specimens
—lbs. per sq. inch)

Age 7 days	2679	1800	—
Age 28 days	3825	3000	—

Tensile Strength:

(Average of 6 specimens
—lbs. per sq. inch)

Age 7 days	371	275	275
Age 28 days	408	350	350

CHEMICAL ANALYSIS AND COMPOUNDS

Not more than Not more than

Si O ₂	20.24	—	—
Al ₂ O ₃	6.78	7.50	—
Fe ₂ O ₃	2.82	6.00	—
Ca O	63.03	—	—
Mg O	2.95	5.00	5.00
SO ₃	1.85	2.00	2.00
Loss	1.36	3.00	3.00
Insol. Res.	0.23	0.75	0.85
C ₃ S	48.00	—	—
C ₂ S	21.50	—	—
C ₃ A	13.20	—	—
C ₄ AF	8.60	—	—
Ca SO ₄	3.10	—	—

VELROCA HIGH-EARLY-STRENGTH PORTLAND CEMENT—PHYSICAL TESTS

	<i>As Tested</i>	<i>Federal Spec. SS-C-201</i>	<i>A.S.T.M. Spec.</i>
Surface Area	2455 sq. cm. gm.	1900	1900
Soundness	O.K.	Sound	Sound
Initial Set (Gillmore)	2 hr. 41 min.	Not less than 60 min.	Not less than 60 min.
Final Set (Gillmore)	4 hr. 5 min.	Not more than 10 hrs.	Not more than 10 hrs.

Compressive Strength:

(Average of 6 specimens
—lbs. per sq. inch)

Age 1 day	1327	1250	1300
Age 3 days	3749	2500	3000
Age 7 days	4862	3500	—
Age 28 days	5417	—	—

Tensile Strength:

(Average of 6 specimens
—lbs. per sq. inch)

Age 1 day	315	275	275
Age 3 days	414	375	375
Age 7 days	463	425	—
Age 28 days	467	—	—

CHEMICAL ANALYSIS AND COMPOUNDS

Not more than Not more than

Si O ₂	18.60	—	—
Al ₂ O ₃	6.95	7.50	—
Fe ₂ O ₃	2.96	6.00	—
Ca O	63.44	—	—
Mg O	3.20	5.00	5.00
SO ₃	2.34	2.50	2.50
Loss	1.98	3.00	3.00
Insol. Res.	0.26	0.75	0.85
C ₃ S	58.20	—	—
C ₂ S	8.50	—	—
C ₃ A	13.30	—	—
C ₄ AF	9.00	—	—
Ca SO ₄	4.00	—	—

MINUTES

These materials are shipped in cloth and paper bags and in bulk.

As a result of these tests it is accordingly recommended that Keystone Portland Cement and Velroca High-early strength Portland Cement be approved for use in New York City, pursuant to Sections C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC) on condition that notarized monthly reports of mill tests be filed with the Board and that all bags be stamped, labeled or marked "Approved for use in New York City under Cal. 113-39-SM," and when shipped in bulk its bill of lading be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Keystone Portland Cement and Velroca High-Early Strength Portland Cement, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

431-39-SM.

APPLICANT—A. Johnson and Company, Incorporated,
owner.

SUBJECT—L. W. Insulating Board—approval of.

APPEARANCES—

For Applicant—A. Hultberg.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(431-39-SM)

WHEREAS, The A. Johnson and Company, Inc., owner filed April 14, 1939, an application with the Board of Standards and Appeals for approval of the material known as the L. W. Insulating Board (Specific Shipment); and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 431-39-SM.

Subject: L. W. Insulating Board (Specific Shipment).

The A. Johnson and Company, Inc., of New York City, filed a request with the board for the approval of several lots of Swedish fibre insulation board as hereinafter listed and described under the Insulation Fibre Board Rules of the Board of Standards and Appeals, the 1/2" material to be used as a plaster base and building board and the 1" material to be used solely for insulation.

Samples of these shipments were taken by the board, part of which was delivered to Columbia University for the purpose of testing for conformance with the requirements of the board's rules on Insulation Fibre Board. The results of these tests reported by Columbia in their reports No. 2484 and 2485, which are filed herewith, are as follows:

FIBRE BOARD RULES OF THE BOARD OF STANDARDS AND APPEALS TEST RESULTS

		1/2" L.W. Board	1" L.W. Board
Max. Thermal Conductivity B.t.u. per hour per sq. ft. per degree F. per inch thickness	0.36	0.376 at 89.6° F. 0.376 at 95° F.	0.340 at 110° F. 0.336 at 91° F.
Minimum Transverse Strength			
Lengthwise, lbs.	*14	15	17
Pounds Crosswise, lbs.	*12	19	24
Deflection at Ultimate Load, ins.	0.23-0.85		
Lengthwise, ins.		0.70	0.34
Crosswise, ins.		0.70	0.35
Minimum Tensile Strength, lbs./sq. in.	175		
Lengthwise		196	48
Crosswise		242	70
Water Absorption, %	5	5.7	4.6
Nail-Holding Strength, lbs.	70		
Lengthwise		76	75
Crosswise		76	75
Bond Strength per sq. ft. of bonded surface	700	760	482

*NOTE: Based upon Specimens 1/2" thick,

Values to be doubled for a thickness of 1".

The tests described above were witnessed by the following representatives:

R. Windmuller, Board of Standards and Appeals, New York City.

C. A. Hultberg, A. Johnson and Company.

A further test for linear expansion due to absorption of moisture was conducted at the electrical testing laboratories of New York on 12" x 3" samples submitted by the board. Copies of this test have been filed under their report No. 148880 with results as follows:

Thickness of Board	50% R.H.	95% R.H.	Change in length	Change in length %
1/2" Across	10.040	10.065	.025	0.25
1/2" Parallel	10.075	10.100	.025	0.25
1" Across	10.015	10.040	.025	0.25
1" Parallel	10.030	10.070	.040	0.40

On the basis of these tests the Committee recommends the specific approval of the L.W. Insulating Board of the shipments now located at Murphy Trucking Co., Brooklyn, N. Y., and lot numbers as follows:

30,000 sq. ft. (1/2") Imported via S.S. Wvaneholm marked A.S.C.O.

7,000 sq. ft. (1") Imported via S.S. Temaren marked A.S.C.O.

96,000 sq. ft. (1/2") Imported via S.S. Temaren marked G.W.C.O. and G.W.CO.

The use is to be limited to building board and plaster base for the 1/2" thickness and limited for use in Class 3 and Class 4 construction and when used for these purposes the requirements and use limitations of the Fibre Insulation Rules of the board shall be complied with. On the basis of the test results the 1" board is not recommended for approval.

MINUTES

All packages of these materials shall be labelled, stamped or tagged as follows, with the use limitations listed thereon: "This specific shipment approved for use in New York City under Cal. No. 431-39-SM", as limited therein.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of the $\frac{1}{2}$ " board.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the L.W. Insulating Board $\frac{1}{2}$ " thick (specific shipment), on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

492-39-SM.

APPLICANT—Kohler Company, owner.

SUBJECT—Kohler K-9251 Float Valve with Vacuum Breaker, approval of.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(492-39-SM)

WHEREAS, The Kohler Company, owner, filed April 19, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Kohler K-9251 Float Valve and Vacuum Breaker; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 492-39-SM

Approval of Kohler K-9251 Float Valve and Vacuum Breaker.

Kohler Company, owner, filed April 19, 1939, an application with the Board of Standards and Appeals for approval of the Kohler K-9251 Float Valve and Vacuum Breaker under the provisions of C26-1227 (14.8.2.8) Adm. Bldg. Code.

This valve was tested on the test bench of the Department of Water Supply, Gas and Electricity at 32 Vandewater Street.

The unit is a vacuum breaker ballcock, the mechanical principle of which is that the flow above the ballcock seat is diverted into a circular chamber, equipped with an airport, the area of which approximates three times that of the supply pipe. The water in this chamber is diverted downward into the hush pipe and through a top orifice into the refill pipe.

The unit was subjected to vacuum tests, the equivalent of 26 inches of mercury without causing any simulated contaminated water being drawn into the riser.

The report of the Department of Water Supply, Gas and Electricity on this test is a part of the record in this application.

It is recommended that the Kohler K-9251 Float Valve and Vacuum Breaker be approved for use in

New York City, on condition that the material be installed in accordance with the requirements of the Administrative Code and be marked within a circle around the periphery: at the top the word "App'vd." along the bottom "B. S. & A." in the centre, two lines, upper line reading "N. Y. C." lower line reading "492-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of the material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Kohler K-9251 Float Valve and Vacuum Breaker, on condition that the material be manufactured, installed and labelled in accordance with above report.

496-39-SM.

APPLICANT—Alpha Portland Cement Company, owner.

SUBJECT—Alpha Portland Cement, manufactured at Martins Creek, Pa., and Cementon, N. Y., approval of.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(496-39-SM)

WHEREAS, The Alpha Portland Cement Company, owner, filed April 20, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Alpha Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 496-39-SM.

Subject: Alpha Portland Cement, approval of.

July 24, 1939

The Alpha Portland Cement Co. filed with the board on April 20, 1939, an application for approval of Alpha Portland Cement, as manufactured by the applicant at Martins Creek, Pa., and Cementon, N. Y., for use in New York City, pursuant to Section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC).

These materials were tested in the presence of a representative of the board at the applicant's laboratory at Martins Creek, Pa.

A record of the supply of raw materials filed with the board indicates that consistently homogeneous raw materials are available for at least 25 years.

Flow sheets have been filed indicating the methods of manufacture of these products.

Samples of these materials were tested in accordance with the requirements of Federal specification SS-C-191-A, pursuant to the methods prescribed in Federal specification SS-C-158 with the following results:

MINUTES

ALPHA PORTLAND CEMENT (MARTINS CREEK MILL)

PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec. SSC 191a</i>	<i>A.S.T.M. Spec.</i>
Surface Area 1680 sq. cm. Gm.	1500	—
Soundness O.K.	Sound	Sound
Initial Set (Gillmore) 3 hr. .04 min.	Not less than 60 min.	Not less than 45 min.
Final Set (Gillmore) 7 hr. 10 min.	Not more than 10 hrs.	Not more than 10 hrs.
Compressive Strength: (Average of six specimens— pounds per sq. inch)		
Age 7 days 3008	1800	—
28 days 4816	3000	—
Tensile Strength: (Average of six specimens— pounds per sq. inch)		
Age 7 days 370	275	275
28 days 435	350	350

CHEMICAL

		Not more than	Not more than
Loss on Ignition	0.53%	3.00%	4.00%
Insoluble residue	0.24	0.75	0.85
Sulphuric Anhydride	1.70	2.00	2.00
Magnesia	2.90	5.00	5.00
Alumina	6.84	7.50	—
Iron Oxide	2.64	6.00	—
Silica	20.28	—	—
Lime	63.72	—	—
Tri-Cal-Silicate	50.8	—	—
Di-Cal-Silicate	20.0	—	—
Tri-Cal-Aluminate	13.5	—	—
Tetra-Cal-Al-Ferrite	7.9	—	—

ALPHA PORTLAND CEMENT (CEMENTON, N. Y. MILL) PHYSICAL TESTS

<i>As tested</i>	<i>Federal Spec. SS-C-191a</i>	<i>A.S.T.M. Spec.</i>
Surface Area 1750 sq. cm. gm.	1500	—
Soundness O.K.	Sound	Sound
Initial Set (Gillmore) 3 hr. 10 min.	Not less than 60 min.	Not less than 45 min.
Final Set (Gillmore) 5 hr. 30 min.	Not more than 10 hrs.	Not more than 10 hrs.
Compressive Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 7 days 2471	1800	—
28 days 5000	3000	—
Tensile Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 7 days 383	275	275
28 days 490	350	350

CHEMICAL

		Not more than	Not more than
Loss on Ignition	0.73%	3.00%	4.00%
Insoluble Residue	0.18	0.75	0.85
Sulphuric Anhydride	1.60	2.00	2.00
Magnesia	1.48	5.00	5.00
Alumina	5.25	7.50	—
Iron Oxide	3.88	6.00	—
Silica	22.62	—	—
Lime	63.95	—	—
Tri-Cal-Silicate	43.0	—	—
Di-Cal-Silicate	32.4	—	—
Tri-Cal-Aluminate	7.4	—	—
Tetra-Cal-Al-Ferrite	11.9	—	—

These materials are shipped in Paper and Cloth Bags and in Bulk.

It is accordingly recommended that Alpha Portland Cement, as manufactured by the Alpha Portland Cement Company at Martins Creek, Pa., and Cementon, N. Y., be approved for use in New York City, pursuant to section C26-312.0 c.1 of the Administrative Code (7.1.-1.7.3 BC) on condition that certified monthly mill test reports of each of these cements be filed with the Board and that all bags be stamped, marked or labeled "Approved for use in New York City by the Board of Standards and Appeals under Cal. 496-39-SM", and when shipped in bulk its bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Alpha Portland Cement, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

573-39-SM.

APPLICANT—Ford Roofing Products Company, owner.
SUBJECT—Ford's Asphalt Built-Up Roofing, Asphalt Shingles and Allied Products, approval of.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(573-39-SM)

WHEREAS, The Ford Roofing Products Company, owner, filed May 5, 1939, an application with the Board of Standards and Appeals for approval of the material, known as the Ford Asphalt Built-Up Roofing, Asphalt Shingles and Allied Products; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 573-39-SM.

Subject: Ford Asphalt Built-Up Roofing, Asphalt Shingles and Allied Products.

The Ford Roofing Products Company, Owner, filed

MINUTES

May 5, 1939, an application with the Board of Standards and Appeals for approval of the Ford Asphalt Built-Up Roofing, Asphalt Shingles and Allied Products as listed herein under tests specified in C26-680 (10.12.11.1) Administrative Building Code and Group 16, Article 2 (10.1.16) Administrative Building Code. This roofing material is manufactured at York, Pennsylvania.

The following test samples consisted of complete assemblies of roof deck and covering as is applied in practice and having an area of 12 sq. ft. Upon these roof decks was placed a fully burning brand for the purpose of investigating the possibility of the spread of flames, ignition of wood decking, and area and depth of charring.

Results of these tests and specifications for heavier or more protective roof covering, including roof covering of greater coverage than the specific specimen tested are described herein. In the following specifications, the quantity of asphalt used between plies of felt is 25 lbs. per square or 100 sq. ft. The top mopping of any asphalt surfaced specification is 25 lbs. of asphalt per square. If slag or gravel is used, the top mopping of asphalt is 50 lbs. per square and the quantity of slag or gravel is 300 lbs. per square.

The asphalt used is made for the Ford Company with a melting point of 160° - 175° F. for the low pitch and 185° - 200° F. for the steep pitch and other built up roofs. The asphalt rag felt is made up of approximately 70% roofing rags and 30% stock filler (paper) with weight and coverage per roll as listed below.

TEST No. 1.

ASPHALT FELT, ASPHALT AND SLAG OR GRAVEL SPECIFICATIONS FOR INCLINES UP TO 3" PER FOOT

Specification No. 1 of the series was a sample selected for the test as follows: The roofing selected consisted of 3 plies of 12 lb. Asphalt Saturated Felt, mopped solid, surfaced with a top mopping of Asphalt and embedded with slag or gravel of 300 lbs. per square. The brand was consumed in 23 minutes, 30 seconds, consuming the top ply of asphalt saturated felt with no charring of the deck. Heavier specifications of the same series consisting of more plies or heavier plies than the sample tested are as follows:

Specification No. 2: Three plies of either 14 lb. or 15 lb. Asphalt Saturated Felt, mopped solid, surfaced with a top mopping of Asphalt, and embedded with slag or gravel.

Specification No. 3: Three plies, composed of one 30 lb. Asphalt Saturated Felt as a base sheet, and two 12 lb., 14 lb., or 15 lb. Asphalt Saturated Felts mopped solid over the base felt and surfaced with a top mopping of Asphalt into which a surfacing of slag or gravel is embedded.

Specification No. 4: Four plies of 12 lb., 14 lb., or 15 lb. Asphalt Saturated Felt mopped solid, surfaced with a top mopping of Asphalt and embedded with slag or gravel.

Specification No. 5: Four plies, composed of two plies of either 12 lb., 14 lb., or 15 lb. Asphalt Saturated Felt laid as base sheets and over which two layers of either 12 lb., 14 lb., or 15 lb. Asphalt Saturated Felts are mopped solid and surfaced with a top mopping of Asphalt into which a surfacing of slag or gravel is embedded.

Specification No. 6: Four plies, composed of one 30 lb. Asphalt Saturated Felt as a base sheet and over which three layers of either 12 lb., 14 lb., or 15 lb. Asphalt Saturated Felts, mopped solid, surfaced with a top mopping of Asphalt and embedded with slag or gravel.

Specification No. 7: Four plies, composed of one 45 lb. base sheet and over which three layers of either

12 lb., 14 lb., or 15 lb. Asphalt Saturated Felts, mopped solid, surfaced with top mopping of Asphalt and embedded with slag or gravel.

Specification No. 8: Five plies, composed of two layers of either 12 lb., 14 lb., or 15 lb. Asphalt Saturated Felts laid as base sheets and over which three layers of either 12 lb., 14 lb., or 15 lb. Asphalt Saturated Felt are embedded solid and surfaced with a top mopping of Asphalt into which a surfacing of slag or gravel is embedded.

TEST No. 2.

ASPHALT FELT, ASPHALT & SMOOTH ROOFING CAP SHEET SPECIFICATIONS FOR INCLINES UP TO 3" PER FOOT

Specification No. 9 of this group under test, consisted of three plies of either 14 lb. or 15 lb. Asphalt Saturated Felt, mopped solid and surfaced with one ply of 34 lb. Smooth Surfaced Cap Sheet cemented in Asphalt. The brand was consumed in 36 minutes and 30 seconds, consuming all plies and charring the deck for a depth of 1/8 inch, over an area of 6 in. by 6 in.

Heavier specifications of the same series consisting of more plies or heavier plies than the sample tested are as follows:

Specification No. 10: Three plies of either 14 lb. or 15 lb. Asphalt Saturated Felt and surfaced with one ply of 34 lb. Smooth Surfaced Cap Sheet, all mopped solid and surfaced with a top mopping of Asphalt.

Specification No. 11: Three plies, composed of one 30 lb. Asphalt Saturated Felt as a base sheet, and two plies of 14 lb. or 15 lb. Asphalt Saturated Felt, mopped solid and surfaced with one ply of 34 lb. Smooth Surfaced Cap Sheet cemented in Asphalt.

Specification No. 12: Three plies, composed of one 30 lb. Asphalt Saturated Felt as a base sheet and two plies of 14 lb. or 15 lb. Asphalt Saturated Felt and surfaced with one ply of 34 lb. Smooth Surfaced Cap Sheet, all mopped solid and surfaced with a top mopping of Asphalt.

Specification No. 13: Four plies of 14 lb. or 15 lb. Asphalt Saturated Felt mopped solid and surfaced with one ply of 34 lb. Smooth Surfaced Cap Sheet cemented in Asphalt.

Specification No. 14: Four plies of 14 lb. or 15 lb. Asphalt Saturated Felt and one ply of 34 lb. Smooth Surfaced Cap Sheet all mopped solid and surfaced with a top mopping of Asphalt.

TEST No. 3.

ASPHALT FELT, ASPHALT & MINERAL SURFACED ROOFING CAP SHEET SPECIFICATIONS FOR INCLINES UP TO 3" PER FOOT

Specification No. 15: This test deck consisted of one ply of either 14 lb. or 15 lb. Saturated Felt, and one ply of 90 lb. Mineral Surfaced Cap Sheet, cemented in Asphalt. The brand was consumed in 15 minutes 45 seconds, consuming all plies and charring the deck for a depth of 1/16 in. over an area of 8 in. by 8 in.

Heavier specification of the same series consisting of more plies or heavier plies than the sample tested are as follows:

Specification No. 16: Two plies of either 14 lb. or 15 lb. Asphalt Saturated Felt, mopped solid, and one ply of 90 lb. Mineral Surfaced Cap Sheet, cemented in Asphalt.

Specification No. 17: Two plies, composed of one 30 lb. Asphalt Saturated Felt and one 14 lb. or 15 lb. Asphalt Saturated Felt, mopped solid, and one ply of 90 lb. Mineral Surfaced Cap Sheet, cemented in Asphalt.

Specification No. 18: Three plies 14 lb. or 15 lb. Asphalt Saturated Felt, mopped solid, and one ply of 90 lb. Mineral Surfaced Cap Sheet, cemented in Asphalt.

Specification No. 19: Three plies, composed of one 30 lb. Asphalt Saturated Felt as a base sheet, and two

MINUTES

plies of either 14 lb. or 15 lb. Asphalt Saturated Felt, mopped solid, and one ply of 90 lb. Mineral Surfaced Cap Sheet, cemented in Asphalt.

TEST No. 4.

ASPHALT FELT, ASPHALT & TOP MOPPING OF ASPHALT FOR INCLINES UP TO 6" PER FOOT WHERE NAILED, OTHERWISE UP TO 3" PER FOOT

This test was withdrawn.

TEST No. 5.

REROOFING SPECIFICATION — ASPHALT FELT, ASPHALT & SLAG, OVER EXISTING BUILT-UP ROOF, FOR INCLINES UP TO 3" PER FOOT

Specification No. 27: This deck consists of two plies of 12 lb. Asphalt Saturated Felt, mopped solid over old existing Roofing Felts, with top mopping of Asphalt into which a surfacing of slag or gravel is embedded. The brand was consumed in 14 minutes and 30 seconds, with no effect on the roof. Heavier specifications of the same series, consisting of more plies or heavier plies than the one tested are as follows:

Specification No. 28: Two plies of either 14 lb. or 15 lb. Asphalt Saturated Felt, mopped solid over old existing Roofing Felts, with top mopping of Asphalt into which a surfacing of slag or gravel is embedded.

Specification No. 29: Three plies of either 12 lb. or 14 lb., or 15 lb. Asphalt Saturated Felt, mopped solid over old existing Roofing Felts, with top mopping of Asphalt into which a surfacing of slag or gravel is embedded.

TEST No. 6.

REROOFING SPECIFICATION — SMOOTH ROOFING, CAP SHEET OVER EXISTING BUILT-UP ROOF, FOR INCLINES UP TO 3" PER FOOT

This test was withdrawn.

TEST No. 7.

REROOFING SPECIFICATION — ASPHALT FELT & ASPHALT, OVER EXISTING BUILT-UP ROOF

This test was withdrawn.

TEST No. 8.

REROOFING SPECIFICATION — ASPHALT AND MINERAL SURFACED ROOFING CAP SHEET, OVER EXISTING BUILT-UP ROOF

Specification No. 34: This deck consisted of one layer of 90 lb. Mineral Surfaced Cap Sheet with 3" selvage edge, mopped solid over old existing Roofing Felts and cemented at laps with Asphalt.

The brand was consumed in 25 minutes, 30 seconds with no effect on the old roofing or the deck. Heavier specifications of the same series consisting of more plies or heavier plies than the one tested are as follows:

Specification No. 35: One layer of 90 lb. Mineral Surfaced Cap Sheet with 19" selvage edge, mopped solid over old existing Roofing Felts, and cemented at laps with Asphalt.

Specification No. 36: One layer of 14 lb. or 15 lb. Asphalt Saturated Felt and one layer of 90 lb. Mineral Surfaced Cap Sheet with 3" selvage edge, mopped solid over old existing Roofing Felts and cemented at laps with Asphalt.

Specification No. 37: One layer of 14 lb. or 15 lb. Asphalt Saturated Felt, and one layer of 90 lb. Mineral Surfaced Cap Sheet with 19" selvage edge, mopped solid over old existing Roofing Felts and cemented at laps with Asphalt.

FORD SHINGLES

TEST No. 9.

11-1/3" x 36" HEXAGON STRIP SHINGLES

This deck consisted of Ford 11-1/3" Hexagon Strip Shingles applied over 7/8" wood sheathing on an incline of 4" or more per foot.

The brand was consumed in 29 minutes, 45 seconds, consuming all plies and charring the deck to a depth of 1/16" over an area of 6" x 8".

Similar shingles of heavier construction or greater coverage are manufactured as follows:

Ford 11 1/3" x 36" Hexagon Strip Shingles

Provides two layer construction over 76% of roof area.

Average weight per square (lbs.)..... 167

Shingles per square 86

Underwriters' Class "C" Label.

Ford 15.16" x 32" Junior Cyclone Shingles

Provides two layer construction over 76% of roof area.

Average weight per square (lbs.)..... 167

Shingles per square 72

Underwriters' Class "C" Label.

Ford 11 1/3" x 36" Tri-Tab Hexagon Strip Shingles

Provides two layer construction over 76% of roof area.

Average weight per square (lbs.)..... 167

Shingles per square 86

Underwriters' Class "C" Label.

Ford 14 2/3" x 32" Super Hex Shingles, Giant Weight

Provides two layer construction over 72% of roof area.

Average weight per square (lbs.)..... 195

Shingles per square 72

Underwriters' Class "C" Label.

Ford 19.1" x 32" Standard Cyclone Shingles

Provides two layer construction over 45% of roof area and three layer construction over 55% of roof area.

Average weight per square (lbs.)..... 223

Shingles per square 72

Underwriters' Class "C" Label.

TEST No. 10:

10" x 36" SQUARE BUTT STRIP SHINGLES

This deck consisted of Ford 10" x 36" Square Butt Strip Shingles applied over 7/8" wood sheathing on an incline of 4" or more per foot.

The brand was consumed in 22 minutes, 15 seconds, consuming all plies but not affecting the wood deck. Similar shingles of heavier construction or greater coverage and of other design or shape are manufactured as follows:

Ford 10" x 36" Square Butt Strip Shingles

Provides two layer construction over entire roof area.

Average weight per square (lbs.)..... 210

Shingles per square 100

Underwriters' Class "C" Label.

Ford 12 1/2" x 36" Square Butt Strip Shingles

Provides three layer construction over entire roof area.

Average weight per square (lbs.)..... 266

Shingles per square 100

Underwriters' Class "C" Label.

Ford 12" x 36" Thick Butt Strip Shingles

Provides two layer construction over entire roof area.

Average weight per square (lbs.)..... 210

Shingles per square 80

Underwriters' Class "C" Label.

Ford 12" x 36" Giant Strip Shingles

Provides two layer construction over entire roof area.

Average weight per square (lbs.)..... 257

Shingles per square 80

Underwriters' Class "C" Label.

MINUTES

Ford 15" x 36" Thick Butt Strip Shingles

Provides three layer construction over entire roof area.

Average weight per square (lbs.) 250
Shingles per square 80
Underwriters' Class "C" Label.

Ford 9" x 12½" Standard Individual Shingles

4" weather exposure provides three layer construction over entire roof area.

Average weight per square (lbs.) 253
Shingles per square 380
Underwriters' Class "C" Label.

Ford 12" x 16" Giant Individual Shingles

5" exposure provides three layer construction over entire roof area.

Average weight per square (lbs.) 318
Shingles per square 224
Underwriters' Class "C" Label.

TEST No. 11.

16" x 16" FRENCH METHOD SHINGLES

This deck consisted of Ford 16" x 16" French Method Shingles applied over 7/8" wood sheathing on incline of 4" per foot or more, for use on new construction or reroofing.

The brand was consumed in 31 minutes, 15 seconds, consuming all plies and charring the deck for a depth of 1/8" over an area of 9" x 9". Similar shingles of heavier construction or greater coverage and of other design or shape are manufactured as follows:

Ford 16" x 16" French Method Shingles, Heavy Weight

Provides one layer construction with two layer construction at all laps.

Average weight per square (lbs.) 135
Shingles per square 82
Underwriters' Class "C" Label.

Ford 16" x 16" French Method Shingles, Giant Weight

Provides one layer construction with two layer construction at all laps.

Average weight per square (lbs.) 153
Shingles per square 82
Underwriters' Class "C" Label.

Ford 12" x 16" Dutch Lap Shingles, Heavy Weight

Provides one layer construction with two layer construction at all laps.

Average weight per square (lbs.) 141
Shingles per square 112
Underwriters' Class "C" Label.

Ford 12" x 16" Dutch Lap Shingles, Giant Weight

Provides one layer construction with two layer construction at all laps.

Average weight per square (lbs.) 159
Shingles per square 112
Underwriters' Class "C" Label.

Ford 12" x 19" Colonial Thatch Shingles, Heavy Weight

Provides one layer construction with two layer construction at all laps.

Average weight per square (lbs.) 147
Shingles per square 106
Underwriters' Class "C" Label.

Ford 12" x 19" Colonial Thatch Shingles, Giant Weight

Provides one layer construction with two layer construction at all laps.

Average weight per square (lbs.) 165
Shingles per square 106
Underwriters' Class "C" Label.

Recommendations:—

As a result of these tests, the Committee recommends approval under C26-680 (10.12.11.1) Administrative

Building Code and Group 16, Article 2 (10.1.16) Administrative Building Code titled "Tests of Roof Coverings," of the Ford Roofing Products Co. roof constructions and roofing materials under the following conditions:

SLAG OR GRAVEL SURFACED ROOFING

Wherever these roofings are applied they shall be protected with three (3) pounds of slag or four (4) graded gravel (screened 1/4 to 5/8) per square foot of roofing and embedded in a pouring of asphalt.

SHINGLES

Approval is recommended on all classes of shingles as listed herein for use in roofing or reroofing of frame residential buildings.

GENERAL

Approval of these roofings is recommended on condition that the weight, thickness and plies of material shall not be less for any group than that specified for the specimen tests.

Nothing herein contained shall preclude the use of heavier or additional plies of saturated rag felt, provided that the total weight and number of plies used shall equal or exceed that approved for any specification tested herein. These roofings may be applied to either combustible or non-combustible decks as may be provided.

It is also recommended that this roofing material in all its forms when used in New York City shall have each package or roll or container clearly marked or labelled "Approved by the Board of Standards and Appeals for use in New York City when installed in accordance with these specifications as tested under Calendar 573-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Ford Asphalt Built-Up Roofing and Ford Asphalt Shingles, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with this report.

659-39-SM.

APPLICANT—United Metal Products Division of Diebold Safe and Lock Company, owner.

SUBJECT—United Metal Products Division of Diebold Safe and Lock Co., One Hour Hollow Metal Door—approval of.

APPEARANCES—

For Applicant—R. S. Trainor and George E. Strehan.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(659-39-SM)

WHEREAS, United Metal Products Division of the Diebold Safe and Lock Company, owner, filed May 19, 1939, an application with the Board of Standards and Appeals for approval of the material, known as United Metal Products Division of Diebold Safe and Lock Co., One Hour Hollow Metal Door; and

MINUTES

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 659-39-SM.

Subject: United Metal Products Division,

Diebold Safe & Lock Company,

One Hour Hollow Metal Door.

July 14, 1939

The United Metal Products Division of the Diebold Safe and Lock Company of Canton, Ohio, filed on May 19, 1939, a request with the Board of Standards and Appeals for the approval of their Hollow Metal Door under C26-610.0 (10.1.18) and C26-662.0 (10.8.3) for a fire resisting rating of one hour. This door was a full sized single panel, single swing door, 6 ft. 11 1/4 in. high by 2 ft. 11 13/16 in. wide.

The stiles and rails of No. 19 U.S. gauge steel are formed into a Hollow Section with the moulding and panel groove integral. The stiles and rails are electrically welded at intervals at the bottom of the panel groove, thus forming a welded tubular section. At the junction of the stiles, and the top and bottom rails, vertical reinforcing channels of No. 16 U.S. gauge steel are inserted, which continue the full height of the top and bottom rails, being spot welded thereto, after which the top and bottom rails, as a unit, are joined to the stiles by continuous fusion welding. At the top and bottom of the door, continuous channels are inserted, running the full width of the door made of No. 18 U.S. gauge steel, and electrically spot welded to the top and bottom rails. The stiles and rails are insulated with a strip of cellular asbestos 1 5/8 in. in thickness, and of suitable width to fill the void within the stiles and rails.

The door is constructed of a single panel, as shown in fig. 1, or of multiple panels of similar construction.

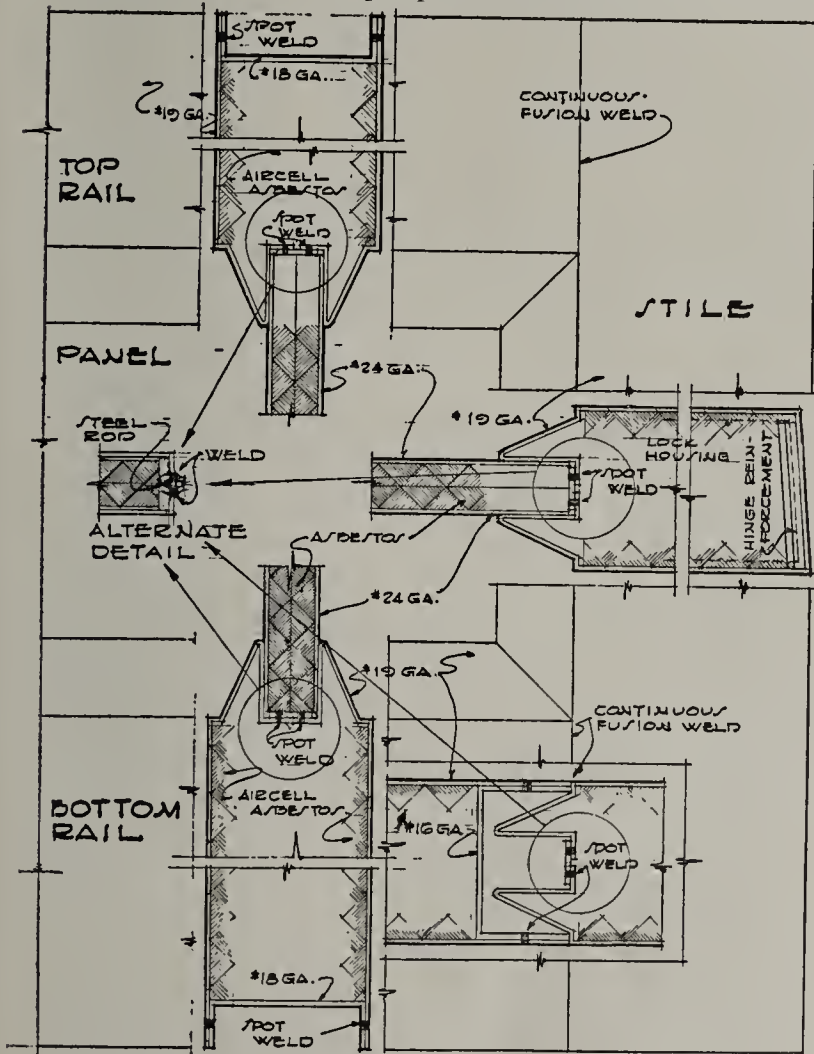


Figure 1

The panel is constructed of two (2) No. 24 U.S. gauge steel plates, insulated between the plates with two (2) sheets of cemented asbestos millboard each 1/4 in. in thickness, producing a panel approximately 9/16 in. total thickness.

The panel is fitted into the panel grooves provided in the stiles and rails, these grooves being 3/4 in. deep, and providing a continuous retaining groove for the panel on all sides. An alternate type of panel groove is provided as shown.

After the panel has been inserted in the stiles and rails, the structure is welded into a single unit by means of fusion welding at all intersections of stiles and rails.

Cutouts are provided for hinges and locks, this being done at the factory to templates. Reinforcing plates 1/8 in. thick, properly drilled and tapped, are welded in place at all hinge cutouts. Reinforcing plates of No. 14 U.S. gauge steel of suitable size are welded in place at the lock cutout. This reinforcement is provided with the necessary holes, drilled and tapped for securing the lock in place.

The door is hung in a unit frame combining buck, jamb, and trim, made of No. 16 U.S. gauge steel or heavier. The frame is equipped with cutouts and reinforcements for hinges and locks, all welded to the frame. Reinforcements for hinges are not less than 1/8 in. in thickness and for the lock strike not less than No. 14 U.S. gauge steel. The frame is provided with six (6) anchors for building into the masonry. Three (3) anchors being installed on each side of the frame.

Tests of this door were performed and witnessed by a committee of the Board of Standards and Appeals on June 30, 1939, at the laboratories of the Protexol Testing Laboratory, at Kenilworth, New Jersey (report filed herewith), under the supervision of Mr. Rollin C. Bastress, Director of the Laboratory. These tests were conducted in accordance with the requirements of Group 5, Sub. Art. 1 of Art. 10, Administrative Building Code entitled Fire Resistive Construction."

The door was set in a steel door frame (set in the masonry of the furnace) and attached thereto by a pair of No. 13 Bommer Spring Hinges 7 in. high. The door frame was a combination of buck, jamb, and trim made of at least .060 in. thick steel and provided with welded reinforcements for all hardware .134 in. thick of the depressed type for the hinges and .104 in. for the lock strike. Three (3) steel anchors are provided on the hinge and strike sides of the door frame respectively. The inside dimensions of the door opening were 3 ft. 0 in. wide by 7 ft. 0 in. high and provided a clearance of 3/32 in. on each side, 3/16 in. on the top and 1/16 in. on the bottom. The test furnace was a brick masonry structure 10 ft. 0 in. by 12 ft. 0 in. by 2 ft. 0 in. with a swinging face, having an opening 62 in. by 93 in. for receiving the test sample. An 8 ft. 0 in. by 8 ft. 0 in. by 8 ft. 0 in. vestibule, simulating actual conditions as found in practice, was provided in front of the swinging face of the furnace. The fire for the test consisted of a gas fed furnace with manual controls for regulating the fuel feed for the required control of temperature. Temperatures were read by means of thermo couples so located as to indicate temperatures at the required locations.

The test was conducted in conformity with the standard time-temperature curve and maintained within the area tolerance for the one hour period. The average temperature rise at the end of forty-five minutes was within the limit of the 650 degrees F permitted rise. The average of the bottom, middle and top of the door temperatures on the unexposed side was 575 degrees F, including starting temperature.

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Seven and one-half minutes after the fire test, the door was subjected to the standard hose stream test by means of a water supply from a fire hydrant through 150 ft. of standard 2½ in. fire hose, having a nozzle with a smooth 1⅝ in. bore. The required pressure of 47 lbs. at the hydrant was checked by means of tables of the National Board of Fire Underwriters so as to obtain a pressure of 30 lbs. at the nozzle. The detail observations made during the test were as follows:

Outside temperature was 79 degrees F. The weather was cloudy and humid with very light rain at the beginning of the test but cleared during its progress with intermittent sunshine and clouds at its conclusion. Wind was from the southwest, about one mile per hour. Gas pressure 4½ in. static, 3½ in. during operation.

At 5 minutes—unsupported portions of stiles drawing away from stops, about ¼ inch;

10 minutes—panel buckled towards fire about ⅝ inch;

15 minutes—faint haze within vestibule. No smoke or vapor from within door however. Portion of lock stile over lock bulging towards fire. Furnace pressure negative;

20 minutes—outer metal sheet of panel bulging away from fire about ¾ inch. Fire side of panel irregularly buckled with pronounced buckle starting at lock and extending about 8 or 9 inches towards center of panel;

25 minutes—wisps of smoke from priming coat under outside thermo couple pads. Temperature in vestibule from recording thermometer about 140 degrees F. Furnace pressure negative;

30 minutes—during the remainder of the test the condition of the sample remained the same with a slight increase in density of haze or smoke within the vestibule. Furnace pressure negative.

On the basis of this test, the committee recommends the approval of the hollow metal door as made by the United Metal Products Division of the Diebold Safe and Lock Company of Canton, Ohio, as having met the requirements for a one hour rating for use as a protection of openings in fireproof partitions under C26-662 (10.8.3) and C26-610.0 (10.1.18) when constructed strictly in accordance with the description and specifications, all set forth herein, when used in single openings in fireproof partitions, excluding the use of this door in such a partition in pairs with astragal.

The use of glass in doors required to be fireproof under the provisions of Sec. 4, par. 10 and Sec. 105 of the Multiple Dwelling Law and C26-668.0 (10.10) of the Administrative Building Code may be permitted provided that such glass and installation thereof shall meet the requirements of C26-668.0 (10.10) par. d.

It is further recommended that the Superintendent of the borough in which these doors are to be used, be notified so that inspection of fabrication of this door be made for compliance with the requirements of this approval. In lieu of such inspection, similar inspection may be made by an inspection service agency acceptable to the Board, who shall certify to the Superintendent the results of its inspection. After inspection, the representative of the Department of Housing and Buildings, or the inspection agency, after finding that the door or doors meet the requirements of this approval shall be present when the metal label with raised letters is affixed to the door reading as follows: "Ap-

proved by the Board of Standards and Appeals for use in New York City under Cal. No. 659-39-SM", or in lieu thereof a die or stamp with raised letters bearing the following inscription within a ¾ in. circle: Around the periphery, at the top, the word "APP'VD"; along the bottom, "B.S.&A."; in the center; two lines—the upper line reading "N.Y.C." and the lower line reading "659-39-SM." All letters to be made legible.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the United Metal Products Division, Diebold Safe and Lock Co., Hollow Metal Door (one hour rating), on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

676-39-SM.

APPLICANT—Pennsylvania-Dixie Cement Corporation, owner.

SUBJECT—Penn-Dixie Portland Cement, approval of.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(676-39-SM)

WHEREAS, Pennsylvania-Dixie Cement Corporation, owner, filed May 22, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Penn-Dixie Portland Cement; and

WHEREAS, this material, was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 676-39-SM.

Subject: Penn-Dixie Portland Cement.

July 24, 1939

The Pennsylvania-Dixie Cement Corporation, filed with the Board on May 22, 1939, an application for approval of Penn-Dixie Portland Cement as manufactured by the applicant at Bath, Pa. and Nazareth, Pa. for use in New York City, pursuant to Section C26-312.0 C.1 of the Administrative Code (7.1.1.7.3 BC).

This material was tested in the presence of a representative of the committee on tests at the applicant's laboratory at Bath, Pa.

A record of the supply of raw materials filed with the Board indicates that consistently homogeneous raw materials are available for at least 50 years.

Flow sheets have been filed indicating the methods of manufacture of this product.

Samples of this material were tested in accordance with the requirements of Federal specifications SS-C-191-A pursuant to the methods prescribed in Federal Specification SS-C-158 with the following results:

MINUTES

PENN-DIXIE PORTLAND CEMENT (BATH MILL)

PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec. SS-C-191-A</i>	<i>A.S.T.M. Spec.</i>
Surface Area 1750 Sq. Cm. Gm.	1500	—
Soundness O K	Sound	Sound
Initial Set (Gillmore) 3 hr. 0 min.	Not less than 60 min.	Not less than 45 min.
Final Set (Gillmore) 5 hr. 30 min.	Not more than 10 hrs.	Not more than 10 hrs.

Compressive Strength:

(Average of Six Specimens—
pounds per sq. inch)

Age 3 days	1586	900
Age 7 days	2529	1800
Age 28 days	3983	3000

Tensile Strength:

(Average of Six Specimens—
pounds per sq. inch)

Age 3 days	293	175	—
Age 7 days	355	275	275
28 days	467	350	350

CHEMICAL ANALYSIS

<i>As Analyzed</i>	<i>Not more than</i>	<i>Not more than</i>
SiO ₂	20.40	—
Al ₂ O ₃	6.80	7.50
Fe ₂ O ₃	2.40	6.00
CaO	63.06	—
MgO	3.20	5.00
SO ₃	1.86	2.00
Loss on ignition	1.30	4.00
Ins. Residue	.20	0.85

COMPOUNDS

C ₃ S	47.08
C ₂ S	23.03
C ₃ A	13.96
C ₄ AF	7.29
CaSO ₄	3.16

PENN-DIXIE PORTLAND CEMENT (NAZARETH MILL)

PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec. SS-C-191-A</i>	<i>A.S.T.M. Spec.</i>
Surface Area 1700 Sq. Cm. Gm.	1500	—
Soundness O K	Sound	Sound
Initial Set (Gillmore) 2 hr. 45 min.	Not less than 60 min.	Not less than 45 min.
Final Set (Gillmore) 5 hr. 15 min.	Not more than 10 hrs.	Not more than 10 hrs.

Compressive Strength:

(Average of Six Specimens—
pounds per sq. inch)

Age 3 days	1575	900	—
Age 7 days	2733	1800	—
Age 28 days	4395	3000	—

Tensile Strength:

(Average of Six Specimens—
pounds per sq. inch)

Age 3 days	270	175	—
Age 7 days	353	275	275
Age 28 days	470	350	350

CHEMICAL ANALYSIS

<i>As Analyzed</i>	<i>Not more than</i>	<i>Not more than</i>
SiO ₂	20.40	—
Fe ₂ O ₃	2.23	6.00
Al ₂ O ₃	7.01	7.50
CaO	63.62	—
MgO	3.40	5.00
SO ₃	1.84	2.00
Loss on ignition	1.13	4.00
Ins. Residue	.15	0.85

COMPOUNDS

C ₃ S	48.27
C ₂ S	22.13
C ₃ A	14.81
C ₄ AF	6.77
CaSO ₄	3.12

This material is shipped in cloth and paper bags and in bulk.

As a result of these tests it is accordingly recommended that Penn-Dixie Portland Cement as manufactured by the applicant at Bath and Nazareth, Pa. be approved for use in New York City pursuant to Section C26-312.0 C-1 of the Administrative Code (7.1.17.3 BC) on condition that notarized monthly reports of mill tests be filed with the Board and that all bags be stamped, labelled or marked, "Approved for use in New York City by the Board of Standards and Appeals under Cal. 676-39-SM" and when shipped in bulk its bill of lading be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Penn-Dixie Portland Cement, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

678-39-SM.

APPLICANT—Pennsylvania-Dixie Cement Corporation, owner.

SUBJECT—Penn-Dixie Quality High Early Strength Portland Cement, approval of.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(678-39-SM)

WHEREAS, the Pennsylvania-Dixie Cement Corporation, owner, filed May 22, 1939, an application with the Board of Standards and Appeals for approval of the material,

MINUTES

known as Penn-Dixie Quality High-Early-Strength Portland Cement; and

WHEREAS, this material, was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 678-39-SM.

Subject: Penn-Dixie Quality High-Early-Strength Portland Cement—Approval of.

July 24, 1939

The Pennsylvania-Dixie Cement Corporation, filed with the Board on May 22, 1939, an application for approval of Penn-Dixie Quality High-Early-Strength Portland Cement as manufactured by the applicant at Nazareth and Bath, Pa. for use in New York City, pursuant to Section C26-312-0 c.1 of the Administrative Code (7.1.1.7.3. BC).

This material was tested in the presence of a representative of the committee on tests at the applicant's laboratory at Bath, Pa.

A record of the supply of raw materials filed with the Board indicates that consistently homogeneous raw materials are available for at least 50 years.

Flow sheets have been filed indicating the methods of manufacture of the product.

Samples of this material was tested in accordance with the requirements of Federal specifications SS-C-201 and pursuant to the methods prescribed in Federal specification SS-C-158 with the following results:

PENN-DIXIE QUALITY HIGH-EARLY-STRENGTH PORTLAND CEMENT PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec. SS-C-201</i>	<i>A.S.T.M. Spec.</i>
Surface Area		
2890 Sq. Cm. Gm.	1900	1900
Soundness		
O K	Sound	Sound
Initial Set (Gillmore)		
1 hr. 40 min.	Not less than 60 min.	Not less than 60 min.
Final Set (Gillmore)		
3 hrs. 0 min.	Not more than 10 hrs.	Not more than 10 hrs.
Compressive Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 1 day	1740	1250
Age 3 days	3783	2500
Age 7 days	5112	3500
Age 28 days	5975	—
Tensile Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 1 day	342	275
Age 3 days	422	375
Age 7 days	489	425
Age 28 days	513	—

CHEMICAL ANALYSIS

<i>As Analyzed</i>	<i>Not more than</i>	<i>Not more than</i>
SiO ₂	18.92	—
Al ₂ O ₃	6.52	7.50
Fe ₂ O ₃	3.8	6.00
CaO	64.04	—
MgO	3.32	5.00
SO ₃	2.26	2.00
Loss on Ignition	1.50	3.00
Ins. Residue	.20	0.75

COMPOUNDS

C ₃ S	61.98
C ₂ S	7.55
C ₃ A	11.89
C ₄ AF	9.66
CaSO ₄	3.84

This material is shipped in paper and cloth bags and in bulk.

As a result of these tests it is recommended that Penn-Dixie Quality High-early-strength Portland Cement be approved for use in New York City pursuant to Section C26-312.0 c-1 of the Administrative Code (7.1.1.7.3 BC) on condition that notarized monthly reports of mill tests be filed with the Board and that all bags be stamped, marked or labelled "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 678-39-SM", and when shipped in bulk its bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Penn-Dixie Quality High-Early-Strength Portland Cement, *on condition* that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

695-39-SM.

APPLICANT—Nazareth Cement Company, owner.

SUBJECT—Nazareth Portland Cement and Nazco High Early Strength Portland Cement, approval of.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(695-39-SM)

WHEREAS, The Nazareth Cement Company, owner, filed May 25, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Nazareth Portland Cement and Nazco High-early-strength Portland Cement; and

WHEREAS, this material, was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 695-39-SM.

Subject: Nazareth Portland Cement and Nazco High-early-Strength Portland Cement—approval of

July 19, 1939

The Nazareth Cement Company filed with the Board on May 25, 1939, an application for approval of Nazareth Portland Cement and Nazco High-early-Strength Portland Cement as manufactured by the applicant at Nazareth, Pennsylvania, for use in New York City, pursuant to Section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC).

MINUTES

These materials were tested in the presence of a representative of the Board at the applicant's laboratory at Nazareth, Pa.

A record of the supply of raw materials filed with the Board indicates that consistently homogeneous raw materials are available for the manufacture of 300,000,-000 barrels of cement.

Flow sheets have been filed indicating the methods of manufacture of these products.

Samples of these materials were tested in accordance with the requirements of Federal specifications SS-C-191-A and SS-C-201 and pursuant to the methods prescribed in Federal specification SS-C-158 with the following results:

NAZARETH PORTLAND CEMENT PHYSICAL TESTS

<i>As tested</i>	<i>Federal Spec. SS-C-191-A</i>	<i>A.S.T.M. Spec.</i>
Surface Area 1600 Sq. cm. Gm.	1500	—
Soundness O K	Sound	Sound
Initial Set (Gillmore) 3 hr. 0 min.	Not less than 60 min.	Not less than 45 min.
Final Set 5 hr. 20 min.	Not more than 10 hrs.	Not more than 10 hrs.
Compressive Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 7 days	2839	1800
Age 28 days	4729	3000

Tensile Strength: (Average of Six Specimens— pounds per sq. inch)			
Age 7 days	390	275	275
Age 28 days	495	350	350

CHEMICAL ANALYSIS

	<i>Not more than</i>	<i>Not less than</i>
SiO ₂	21.0%	—
Al ₂ O ₃	6.3	7.50
Fe ₂ O ₃	2.5	6.00
CaO	63.8	—
MgO	3.4	5.00
SO ₃	1.8	2.00
Loss	.9	3.00
Ins. Res.	.08	0.75
3 CaA. ₁ 2O ₃	12.00	15.00

NAZCO HIGH-EARLY-STRENGTH PORTLAND CEMENT PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec. SS-C-201</i>	<i>A.S.T.M. Spec.</i>
Surface Area 2800 Sq. cm. Gm.	1900	1900
Soundness O K	Sound	Sound
Initial Set (Gillmore) 2 hr. 45 min.	Not less than 60 min.	Not less than 60 min.
Final Set (Gillmore) 5 hr. 0 min.	Not more than 10 hrs.	Not more than 10 hrs.
Compressive Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 1 day	1686	1250
Age 3 days	3215	2500
Age 7 days	5078	3500
Age 28 days	6358	—

Tensile Strength:

(Average of Six Specimens— pounds per sq. inch)			
Age 1 day	328	275	275
Age 3 days (Av. of 5)	436	375	375
Age 7 days	497	425	—
Age 28 days	531	—	—

CHEMICAL ANALYSIS

	<i>Not more than</i>	<i>Not less than</i>
SiO ₂	1 9.4%	—
Al ₂ O ₃	6.4	7.50
Fe ₂ O ₃	2.5	6.00
CaO	63.8	—
MgO	3.4	5.00
SO ₃	2.48	2.50
Loss	1.7	3.00
Ins. Res.	.14	0.75
3CaO.Al ₂ O ₃	12.72	15.00

These materials are shipped in paper and cloth bags and in bulk.

It is accordingly recommended that Nazareth Portland Cement and Nazco High-early-strength Portland Cement as manufactured by the Nazareth Cement Company at Nazareth, Pennsylvania, be approved for use in New York City, pursuant to section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC) on condition that certified monthly reports of each of these cements be filed with the Board and that all bags be stamped, marked or labelled "Approved for use in New York City by the Board of Standards and Appeals under Cal. 695-39-SM", and when shipped in bulk its bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Nazareth Portland Cement and Nazco High-Early-Strength Portland Cement, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

734-39-SM.

APPLICANT—Philip Cosentino, for Alessandro Cozzo, owner.

SUBJECT—Coboco Superior Drain Ring for Toilet Bowls or Gasket, approval of.

APPEARANCES—

For Applicant—Philip Cosentino.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

THE RESOLUTION—

(734-39-SM)

WHEREAS, Philip Cosentino, for Alessandro Cozzo, owner, filed June 3, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Coboco Superior Drain Ring for W. C. bowl; and

WHEREAS, this material, was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

MINUTES

REPORT OF COMMITTEE ON TESTS

Re: Cal. 734-39-SM

Approval of Coboco Superior Drain Ring for
Toilet Bowls or Gasket—

Philip Cosentino, for Alessandro Cozzo, owner, filed June 3, 1939, an application with the Board of Standards and Appeals for Approval of the Coboco Superior Drain Ring for W. C. bowl under the provisions of Section C26-1250.0 (14.4.9) Adm. Building Code.

The material is processed as follows: Crushed marble together with other minerals having been first pulverized is mixed with certain liquids to a plastic consistency and then poured into metal molds, which are agitated to harden. The rings are released from the molds after 24 hours and stored for curing for from four to seven days.

The ring has an upper outside diameter of approximately eight inches and an inside diameter of five inches. The top side is one and one-quarter inches across tapering out to the bottom one and one-half inches. The corners on top are rounded to facilitate installation.

Tests were made of this ring at the New York Testing Laboratories. The material was subjected to a load test of 1,000 lbs. per sq. inch. A water absorption at the end of 48 hours of 4.13%.

The ring is designed to be used as a stopper safe under toilet bowl and when set in a cement screed veneered with tile will be held in a wedged anchorage.

On the basis of the above test and report it is recommended that the Coboco Superior Drain ring for W. C. Bowls be approved for use in New York City under the provisions of C26-1250.0 (14.4.9) Adm. Building Code, on condition that the material be installed in accordance with the requirements of the administrative code and be marked within a circle around the periphery, at the top the word "Appvd." along the bottom, "B. S. & A." in the centre, two lines, upper line reading, "N. Y. C.," lower line reading, "734-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Coboco Superior Drain Ring for W. C. bowl, *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

774-39-SM.

APPLICANT—Glens Falls Portland Cement Company,
owner.

SUBJECT—Iron Clad Portland Cement, Dark Iron Clad Portland Cement and Velo High Early Strength Portland Cement, approval of.

APPEARANCES—

For Applicant—None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(774-39-SM)

WHEREAS, Glens Falls Portland Cement Company, owner, filed June 9, 1939, an application with the Board of Stand-

ards and Appeals for approval of the material, known as Iron Clad Portland Cement, Dark Iron Clad Portland Cement and Velo High-Early-Strength Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads—

REPORT OF COMMITTEE ON TESTS

Cal. 774-39-SM.

Subject: Iron Clad Portland Cement,
Dark Iron Clad Portland Cement
and Velo High-Early-Strength Portland Cement—Approval of.

July 24, 1939.

The Glens Falls Portland Cement Co. filed with the Board on June 9, 1939, an application for approval of Iron Clad Portland Cement, Dark Iron Clad Portland Cement and Velo High-Early-Strength Portland Cement, as manufactured by the applicant at Glens Falls, New York, for use in New York City, pursuant to Section C26-312.0 c.l. of the Administrative Code (7.1.1.7.3 BC).

These materials were tested in the presence of a representative of the Committee on tests at the applicant's laboratory at Glens Falls, N. Y.

A record of the supply of raw materials filed with the Board indicates that consistently homogeneous raw materials are available for at least 90 years.

Flow sheets have been filed indicating the methods of manufacture of these products.

Samples of these materials were tested in accordance with the requirements of Federal specifications SS-C-191-A and SS-C-201 and pursuant to the methods prescribed in Federal specification SS-C-158 with the following results:

IRON CLAD PORTLAND CEMENT PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec. SSC 191a</i>	<i>A.S.T.M. Spec. C-9-38</i>
Surface area 1740 Sq. cm. Gm.	1500	—
Soundness O K	Sound	Sound
Initial Set (Gillmore) 3 hrs. 35 min.	Not less than 60 min.	Not less than 45 min.
Final Set (Gillmore) 5 hrs. 15 min.	Not more than 10 hrs.	Not more than 10 hrs.
Compressive Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 7 days	2755	1800
Age 28 days	3689	3000
Tensile Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 7 days	359	275
Age 28 days	418	350

CHEMICAL ANALYSIS

<i>As Analyzed</i>	<i>Federal Spec. SS-C-191-A</i>	<i>A.S.T.M. Spec. C-9-38</i>
SiO ₂	19.74	—
Al ₂ O ₃	7.13	7.50
Fe ₂ O ₃	2.65	6.00
CaO	63.70	—
MgO	2.78	5.00
SO ₃	1.97	2.00
Loss	0.96	4.00
Total	98.93	—
Insol. Res.	0.07	0.75
		0.85

MINUTES

COMPOUND COMPOSITION

C ₃ S	52.5
C ₂ S	17.0
C ₃ A	14.3
C ₄ AF	8.2
CaSO ₄	3.4

"DARK IRON CLAD" PORTLAND CEMENT PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec. SS-C-191-A</i>	<i>A.S.T.M. C-9-38</i>
Surface Area 1890 Sq. cm. Gm.	1500	—
Soundness O K	Sound	Sound
Initial Set (Gillmore) 3 hrs. 0 min.	Not less than 60 min.	Not less than 45 min.
Final Set (Gillmore) 5 hrs. 45 min.	Not more than 10 hrs.	Not more than 10 hrs.
Compressive Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 7 days	2742	1800
Age 28 days	4015	3000
Tensile Strength: (Average of Six Specimens— pounds per sq. inch)		
Age 7 days	352	275
Age 28 days	430	350

CHEMICAL ANALYSIS

<i>As Tested</i>	<i>Federal SS-C-191-A</i>	<i>A.S.T.M. C-9-38</i>
SiO ₂	22.22	—
Al ₂ O ₃	5.25	7.50
Fe ₂ O ₃	4.15	6.00
CaO	63.03	—
MgO	2.18	5.00
SO ₃	1.37	2.00
Loss	0.55	3.00
Total	98.75	—
Insol. Res.	0.11	0.75

COMPOUND COMPOSITION

C ₃ S	42.0
C ₂ S	32.0
C ₃ A	6.9
C ₄ AF	12.8
CaSO	2.4
Al ₂ O ₃	—
Ratio	1.27

Fe₂O₃

This cement also meets Federal Spec. SS-C-206 (Moderate Heat of Hardening).

"VELO" HIGH EARLY STRENGTH PORTLAND CEMENT

PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec. SS-C-201</i>	<i>A.S.T.M. Spec.</i>
Surface Area 2400 Sq. cm. Gm.	1900	1900
Soundness O K	Sound	Sound
Initial Set (Gillmore) 2 hrs. 5 min.	Not less than 60 min.	Not less than 60 min.
Final Set (Gillmore) 4 hrs. 35 min.	Not more than 10 hrs.	Not more than 10 hrs.

Compressive Strength:

(Average of Six Specimens—
pounds per sq. inch)

Age 1 day	2124	1250	1300
Age 3 days	3041	2500	3000
Age 7 days	3911	3500	—
Age 28 days	4761	—	—

Tensile Strength:

(Average of Six Specimens—
pounds per sq. inch)

Age 1 day	294	275	275
Age 3 days	428	375	375
Age 7 days	446	425	—
Age 28 days	460	—	—

CHEMICAL ANALYSIS

	<i>As Tested</i>	<i>Federal Spec. SS-C-201</i>	<i>A.S.T.M. Spec. C-74-38</i>
SiO ₂	20.32	—	—
Al ₂ O ₃	6.09	7.50	—
Fe ₂ O ₃	2.37	6.00	—
CaO	63.78	—	—
MgO	2.66	5.00	5.00
SO ₃	2.45	2.50	2.50
Loss	1.15	—	—
Total	98.82	—	—
Insol. Res.	0.20	0.75	0.85

COMPOUND COMPOSITION

C ₃ S	54.0
C ₂ S	18.0
C ₃ A	12.1
C ₄ AF	7.3
CaSO ₄	4.3

These materials are shipped in paper and cloth bags and in bulk.

It is accordingly recommended that Iron Clad Portland Cement, Iron Clad Dark Portland Cement and Velo High-Early Strength Portland Cement, as manufactured by the Glens Falls Portland Cement Co. at Glens Falls, New York, be approved for use in New York City, pursuant to Section C26-312.0 C-1 of the Administrative Code (7.1.1.7.3 BC) on condition that certified monthly mill test reports of each of these cements be filed with the Board and that all bags be stamped, marked or labeled "Approved for use in New York City by the Board of Standards and Appeals under Cal. 774-39-SM," and when shipped in bulk its bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Iron Clad Portland Cement, Dark Iron Clad Portland Cement and Velo High-Early Strength Portland Cement, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

838-39-SM

APPLICANT—Neumade Products Corporation, owner.
SUBJECT—Neumade Vented Cabinet for Motion Picture Film, Models Fumetite, Fire Chief, Fire Safe and Firetite, approval of.

APPEARANCES—

For Applicant: None.

MINUTES

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(838-39-SM)

WHEREAS, Neumade Products Corporation, owner, filed June 22, 1939, an application with the Board of Standards and Appeals for approval of the material, known as the Neumade Vented Cabinets for Motion Picture Films, Models Fumetite, Fire Chief and Firetite; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

July 24, 1939.

Re: Cal. No. 838-39-SM

Approval of Neumade Vented Cabinets for Motion Picture Films, Models Fumetite, Fire Chief and Firetite.

The Neumade Products Corporation filed June 22, 1939, an application with the Board of Standards and Appeals for approval of the material known as Neumade Vented Cabinets for Motion Picture Films, Models Fumetite, Fire Chief and Firetite, under the provisions C19-119.0 Administrative Code. No recommendation is made on the Fire Safe Model, as it was not inspected and tested.

These cabinets are constructed as follows:

FUMETITE—

Constructed throughout of 18 gauge steel with all joints welded, with precision-fitted, fume-tight, double-sealed door, sealing Channels asbestos lined, equipped with never-failing plunger type door-pull with adjustable tension and three-point automatic door-locking device of the applicant's design. Door closes and locks automatically at top, bottom and side. Also equipped with approved, quick-fusing sprinkler head protected by heavy gauge non-rusting wire mesh enclosure. Sprinkler connection line $\frac{3}{4}$ ".

The cabinet has double-wall construction throughout—filled with $1\frac{1}{2}$ " of poured approved plastic heat and fire-resisting compound becoming brick hard when dry and equipped with vent, 8" x 10", giving the double protection against the accumulation of dangerous fumes or gases. The slanting top discourages the tendency to use any flat surface as a place on which to pile miscellaneous articles.

The cabinet takes 12 2000 ft. reels, in two tiers of six each. Heavy wire separators keep each reel in separate compartment.

FIRE CHIEF—

These cabinets are constructed throughout of 18 gauge steel with all joints welded and with double walls with $1\frac{1}{2}$ " air space chamber. They are equipped with heavy construction, adjustable tension spring hinges and three-point automatic door-locking device of the applicant's design. Door closes and locks automatically at top, bottom and side. The cabinets are equipped with approved quick-fusing sprinkler head protected by heavy gauge non-rusting wire mesh enclosure. Sprinkler connection line $\frac{3}{4}$ ", and are vented with a round steel plate pipe—standard 8" diameter and covered with 1" thick asbestos. The cabinet takes 12 2000 ft. reels, in two tiers of six each. Heavy wire separators keep each reel in separate compartment.

FIRETITE SECTIONAL—

The cabinet has fireproof sections—built like a vault with $1\frac{1}{2}$ " double wall construction of heavy gauge

steel throughout—FILLED with patented approved plastic heat and fire resisting compound—brick hard.

The doors are equipped with permanent carriage. The reel carriage is a heavy band, steel riveted and electrically welded to the door. A special door stop allows the doors to drop to just the right level and permits easy insertion and removal of reels.

Sheet steel reel guards are welded to the carriage and door adding rigidity to both. These guards also close in half the reel giving the film added protection.

Door closes by gravity and cannot be left open. The weight of the reel immediately closes compartment door firmly and stays closed.

Tests were made of these cabinets by a representative of the Fire Department, Division of Combustibles at Inwood Hill Park. Report dated March 22, 1939, recommends the approval of these cabinets.

On the basis of this test and report it is recommended that the Neumade Vented Cabinet for Motion Picture Films, Models Fumetite, Fire Chief and Firetite, be approved for use in New York City when constructed, installed and operated in accordance with this report and the report of the Division of Combustibles and in accordance with the requirements of Section C-19, Administrative Code, on condition that the cabinet bear a label reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. 838-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Neumade Vented Cabinets for Motion Picture Films, Models Fumetite, Fire Chief and Firetite, *on condition* that the material be manufactured, installed, operated and labelled in accordance with above report.

941-39-SM.

APPLICANT—United Metal Products Division of Diebold Safe and Lock Company, owner.

SUBJECT—Diebold Safe and Lock Company Hollow Metal Door (one and one-half hour rating), approval of.

APPEARANCES—

For Applicant—R. S. Trainor and George E. Strehan.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative: 0
Absent: 0

THE RESOLUTION—

(941-39-SM)

WHEREAS, the United Metal Products, Division of Diebold Safe and Lock Company, owner, filed July 12, 1939, an application with the Board of Standards and Appeals for approval of the material, known as the Diebold Safe and Lock Co. Hollow Metal Door, one and one-half hour rating; and

WHEREAS, this material, was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

MINUTES

REPORT OF COMMITTEE ON TESTS

Cal. No. 941-39-SM.

Approval of Diebold Safe and Lock Co.

Hollow Metal Door.

July 19, 1939

The United Metal Products Division of Diebold Safe and Lock Co. filed July 12, 1939, an application with the Board of Standards and Appeals for approval of the Diebold Safe and Lock Co. Hollow Metal Fire Door as made by the Diebold Safe and Lock Co. of Canton, Ohio, under C26-610.0 (10.1.18) Administrative Building Code and C26-661.0 (10.8.2) Administrative Building Code for a rating of one and one-half hours.

This door is of hollow steel with overall dimensions of 2 ft. 11 13/16 in. by 6 ft 11 1/4 in. with corresponding inside door openings of 3 ft. 0 in. by 7 ft. 0 in.

The assembly of this door was inspected and identified for test by a committee of the board with specifications of the door as follows:

The stiles and rails of No. 19 U.S. gauge steel are formed into a Hollow section with the moulding and panel groove integral. The stiles and rails are electrically welded at intervals at the bottom of the panel groove, thus forming a welded tubular section. At the junction of the stiles, and the top and bottom rails, vertical reinforcing channels of No. 16 U.S. gauge steel are inserted, which continue the full height of the top and bottom rails, being spot welded thereto, after which the top and bottom rails, as a unit, are joined to the stiles by continuous fusion welding. At the top and bottom of the door, continuous channels are inserted, running the full width of the door made of No. 18 U.S. gauge steel, and electrically spot welded to the top and bottom rails. The stiles and rails are insulated with a strip of cellular asbestos 1 5/8 in. in thickness, and of suitable width to fill the void within the stiles and rails.

The door is constructed of a single panel, as shown in Fig. No. 1 or of multiple panels of similar construc-

tion. The panel is constructed of two (2) No. 24 U.S. gauge steel plates, insulated between the plates with two (2) sheets of cemented asbestos millboard each 1/4 in. in thickness, producing a panel approximately 9/16 in. total thickness.

The panel is fitted into the panel grooves provided in the stiles and rails, these grooves being 3/4 in. deep, and providing a continuous retaining groove for the panel on all sides. An alternate type of panel groove is provided as shown.

After the panel has been inserted in the stiles and rails, the structure is welded into a single unit by means of fusion welding at all intersections of stiles and rails.

Cutouts are provided for hinges and locks, this being done at the factory to templates. Reinforcing plates 1/8 in. thick, properly drilled and tapped, are welded in place at all hinge cutouts. Reinforcing plates of No. 14 U.S. gauge steel of suitable size are welded in place at the lock cutout. This reinforcement is provided with the necessary holes, drilled and tapped for securing the lock in place.

The door is hung in a unit frame combining buck, jamb, and trim, made of No. 16 U. S. gauge steel or heavier. The frame is equipped with cutouts and reinforcements for hinges and locks, all welded to the frame. Reinforcements for hinges are not less than 1/8 in. in thickness and for the lock strike not less than No. 14 U. S. gauge steel. The frame is provided with six (6) anchors for building into the masonry. Three (3) anchors being installed on each side of the frame.

Tests of this door were performed and witnessed by a committee of the Board of Standards and Appeals on July 19, 1939, at the laboratories of the Protexol Testing Laboratory, at Kenilworth, New Jersey (report filed herewith) under the supervision of Mr. Rollin C. Bastress, Director of the Laboratory. These tests were conducted in accordance with the requirements of Group 5, Sub. Art. 1 of Art. 10, Administrative Building Code entitled "Fire Resistive Construction."

The door was set in a steel door frame (set in the masonry of the furnace) and attached thereto by one and one-half pair of steel butts bronze plated 4 1/2 x 4 1/2 Stanley BB 179. The door frame was a combination of buck, jamb, and trim made of at least .060" thick steel and provided with welded reinforcements for all hardware .134" thick of the depressed type for the hinges and .104" for the lock strike. Three (3) steel anchors are provided on the hinge and strike sides of the door frame respectively. The inside dimensions of the door opening were 3 ft. 0 in. wide by 7 ft. 0 in. high and provided a clearance of 3/32 in. on each side, 1/8 in. on the top and 3/16 in. on the bottom. The test furnace was a brick masonry structure 10 ft. 0 in. by 12 ft. 0 in. by 2 ft. 0 in. with a swinging face, having an opening 62 in. by 93 in. for receiving the test sample. An 8 ft. 0 in. by 8 ft. 0 in. by 8 ft. 0 in. vestibule, simulating actual conditions as found in practice, was provided in front of the swinging face of the furnace. The fire for the test consisted of a gas fed furnace with manual controls for regulating the fuel feed for the required control of temperature. Temperatures were read by means of thermocouples so located as to indicate temperatures at the required locations.

The test as conducted in conformity with the standard time-temperature curve and maintained within the area tolerance for the one and one-half hour period. The average temperature rise at the end of forty-five minutes was within the limit of the 650 degrees F. permitted rise. The average of the bottom, middle, and top of the door temperatures on the unexposed side was 550 degrees F., including starting temperature. The vestibule temperature at this time was 176 degrees F., giving a differential of only 374 degrees F. between the unexposed side of the door and the vestibule temperature.

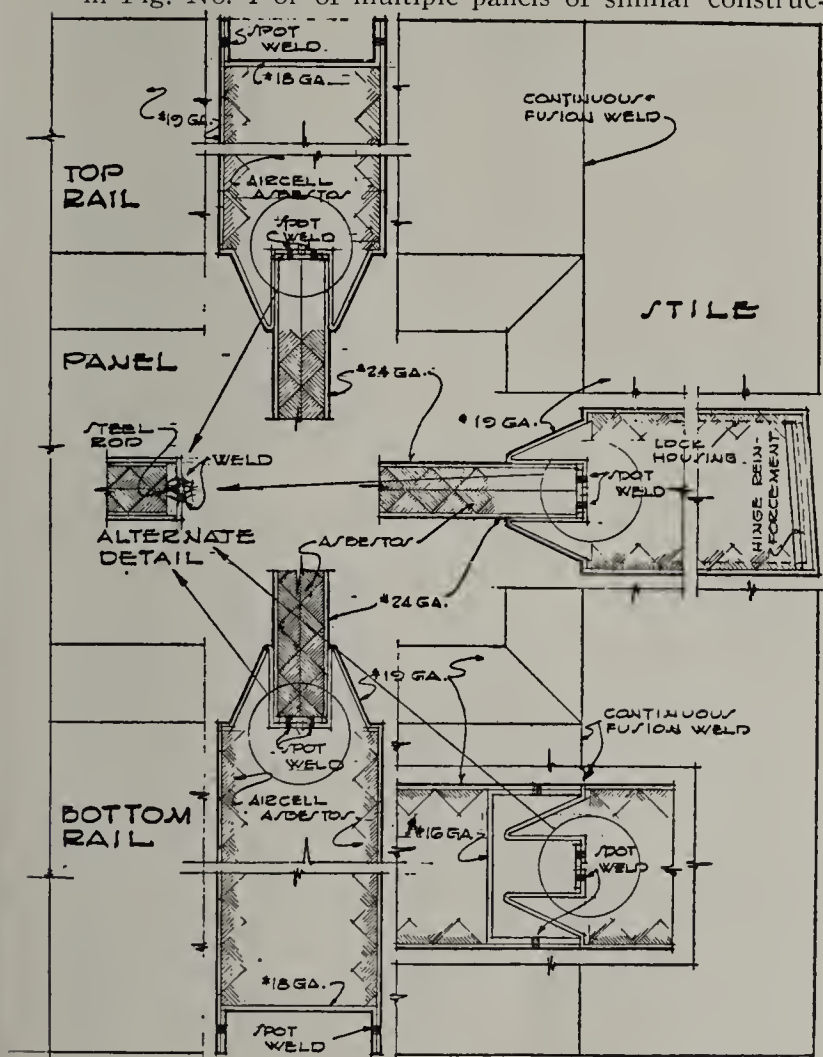


Figure 1

MINUTES

OBSERVATIONS DURING TEST

- 5 minutes—Hinge stile between and above and below hinges drawing away from stop beads about $\frac{1}{4}$ in.
- 12 minutes—Slight haze and odor within vestibule from priming coat on door. No smoke or fumes from door.
- 15 minutes—Sheet steel forming panel cover buckling away from fire on unexposed side of door, about $\frac{1}{2}$ inch at center of door. Light smoke still present in vestibule. Furnace draft neutral.
- 25 minutes—Top and bottom rails buckled towards furnace about $\frac{1}{2}$ inch. Sheet steel panel cover warping on exposed side and buckling alongside of panel rabbet in stiles. Warping towards furnace at center of panel.
- 30 minutes—Hinge stile warping in reverse direction. Openings between stile and stop diminish in depth. Furnace draft neutral.
- 35 minutes—Warping and buckling increasing along lock stile on exposed side of door.
- 40 minutes—Unexposed face of panel warped away from furnace $\frac{1}{2}$ inch at center.
- 60 minutes—Top and bottom rails returning toward original alinement. Top warped less than $\frac{1}{2}$ inch and bottom $\frac{1}{4}$ inch. Furnace pressure negative.
- 75 minutes—Panel returning to original alinement. Warping less than $\frac{1}{4}$ inch.
- 90 minutes—Door intact. Exposed side of panel warped generally and buckles along stiles slightly enlarged.
- 100 minutes—Hose stream, 30 pounds per square inch nozzle pressure applied for one minute from a distance of 20 feet with no effect upon stability of door. Lock operated and door swung open on its own hinges at conclusion of hose stream test.

RECOMMENDATION

On the basis of this test, the committee recommends the approval of the hollow metal door as made by the United Metal Products Division of the Diebold Safe & Lock Company of Canton, Ohio, as having met the requirements for a one and one-half hour rating for use as a protection of openings in fire partitions under C 26-661 (10.8.2) and C 26-610.0 (10.1.18) when constructed strictly in accordance with the description and specifications, all set forth herein, except that the door clearance should be provided as follows: Sides $\frac{3}{32}$ in., Top $\frac{1}{8}$ in., and Bottom $\frac{3}{16}$ in., and also when used in single openings in fireproof partitions under C 26-662 (10.8.3) where a three-quarter hour fire-resistive rating is required and under Art. 1 Sec. 4 paragraph 10 MDL where a one hour fire resistive rating is required, excluding the use of this door in any partition in pairs with an astragal. The use of glass in such doors as are required to be fireproof under the provisions of Sec. 4, para. 10 and Sec. 105 of the Multiple Dwelling Law and C 26-668.0 (10.10) of the Administrative Building Code may be permitted, provided that such glass and installation thereof shall meet the requirements of C 26-668.0 (10.10) para. d.

It is further recommended that the Superintendent of the borough in which these doors are to be used be notified so that inspection of fabrication of this door be made for compliance with the requirements of this approval. In lieu of such inspection, similar inspection may be made by an inspection service agency acceptable to the Board, who shall certify to the Superintendent the results of its inspection. After inspection, the representative of the Department of Housing and Buildings, or the inspection agency, after finding

that the door or doors meet the requirements of this approval, shall be present when the metal label with raised letters is affixed to the door, reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 941-39-SM," or in lieu thereof a die or stamp with raised letters bearing the following inscription within a $\frac{3}{4}$ in. circle: Around the periphery, at the top, the word "APP'VD"; along the bottom, "B. S. & A."; in the center; two lines—the upper line reading "N. Y. C." and the lower line reading "941-39-SM". All letters to be made legible.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Diebold Safe and Lock Co. Hollow Metal Door (one and one-half hour rating), *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

Meeting recessed at 6:00 P.M. to July 21, 1939 at 10 A.M.
Reconvened July 21, 1939, 10 A.M. and recessed at 5:40 P.M. to July 25, 1939 at 10 A.M.

Reconvened July 25, 1939, 10 A.M. and adjourned at 6:00 P.M.

EDWARD V. BARTON, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Wednesday, June 7, 1939, as they appeared in Bulletin No. 24, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(646-39-A)

WHEREAS, A. Paul Loshen, for Roth Developments, Inc., owner, filed on May 18, 1939, an appeal from decisions of the Borough Superintendent of Buildings, affecting premises 174-04 to 174-20 Pidgeon Meadow road, southeast corner Fresh Meadow road (Block No. 5589, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. Application Nos. 2111, 2113, 2115, 2117, 2119-39 and N.B. Application Nos. 2112, 2114, 2116, 2118 and 2120-39, read:

"1. Location of a frame building within the fire limits contrary to Section 4.1.2, of the Building Code." and

WHEREAS, the premises consist of a plot having a frontage of 90.91 ft. on Fresh Meadow road and 212.6 ft. on Pidgeon Meadow road located in a residence and business use, "D" area, district, which it is proposed to divide into five separate lots, upon each of which will be constructed a $1\frac{1}{2}$ story frame dwelling, 22 ft. by 38 ft. 6 in. in area and a one-story private garage; and

WHEREAS, the applicant contends that it is the owner of a large tract of land, upon which it has already constructed over 100 houses of similar type to those which are the subject of this appeal; that the construction of the entire community of frame dwellings is reasonable and proper and no fire hazard can be found in the existence of frame residences adjacent to other buildings of identical construction; that the proposed dwellings will be surfaced on the exterior with brick veneer to plate line of front elevation with gable ends generally of clapboards, but varied in some instances, by the use of stucco on metal

MINUTES

lath asbestos shingles or brick veneer; that the side and rear elevations will be clapboards, stucco and metal lath or asbestos shingles; that the roofs throughout will be covered with asphalt shingles; that the garages will be of masonry with frame gables and asphalt shingle roofs.

Resolved, that the decisions of the borough superintendent acting on N.B. Application as to the houses, Nos. 2111, 2113, 2115, 2117, 2119-39 and N.B. Application as to the garages, Nos. 2112, 2114, 2116, 2118 and 2120-39, be and they hereby are *modified*, and that the appeal be and it hereby is *granted on condition* that the buildings shall be constructed substantially as set forth on plans filed with the borough superintendent and shall comply with all requirements for residential buildings outside the fire limits

and with the requirements of the building zone resolution for an "F" area district; that the buildings shall be restricted to residential use only, for one family each; that the distance between buildings on adjoining lots shall in no case be less than 15 feet, as to the residences, but permitting the garages to be located not nearer than one foot to the lot line; that porches may extend into the front yards for a distance of not more than 4 feet; that on the corner lot, the side yard need not be required to be wider than 12 feet, 6 inches; that the roofs shall be surfaced with natural slate or approved asphalt shingles.

* Correction—The numbers "28" change to "38", in line 19 of resolution.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,

August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939.
EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE
NEW YORK CITY CHARTER, FEBRUARY 27, 1939.

(835-38-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraphs 2 and 3, of the New York City Charter and C26-1268.0c 4 (14.7.1.3 BC) and C26-1277.0h (14.8.2.8 BC), of the Administrative Code.

Rule 1. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly from the City Water Supply System (and not supplied from separate riser and tank), shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the overflow level of the fixture, to prevent siphonage or backflow of contaminated water into the house water distribution piping and checked by the inspector.

Rule 2. Ballcocks.

Flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than one-half inch above the overflow outlet of the flush tank.

Rule 3. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the overflow level of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture.

Rule 4. Sterilizers.

Direct water supply piping connections to sterilizers are prohibited. The waste piping for sterilizers shall not connect directly with any drainage system; such waste piping shall discharge above an open, water supplied, trapped and vented fixture.

Rule 5. Aspirators—Water Siphons.

Water supply connections to aspirators, water siphons or similar apparatus shall be equipped with an

approved vacuum breaker and check valve, the check valve to be located between the fixture and vacuum breaker. The waste pipe for this type of apparatus shall not connect directly with any drainage system but shall discharge above an open, water supplied, trapped and vented fixture.

Rule 6. Bidets—Bed Pan Washers.

Water supply connection to bidets, bed pan washers, or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker.

Rule 7. Roof or Suction Tanks.

Water supply inlets to roof or suction tanks shall be located at least two inches above the overflow level of the tank.

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes to sump, well, or similar type pumps shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant agency from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation.

APPROVED VACUUM BREAKERS

Name	Calendar No.	Name	Calendar No.
Beal Vacuum Breaker	685-39-SM	Murray and Sorenson Flush Valve Vacuum Breaker	494-39-SM
Bidoro Vacuum Breaker, Type D, sizes 1", 1 1/4", 1 1/2", 2", 2 1/2", 3", 3 1/2" and 4"	270-28-SA	Nibco Ace Type Back-Siphon Ball Cock.....	416-39-SM
Cadwell Syphon Breaker, Model 125.....	165-39-SA	Novac Flush Valve Vacuum Breaker.....	174-38-SA
Cadwell Syphon Breaker and Agitator, No. 115	370-39-SA	Noverflo Flushometer Valve.....	1038-38-SA
Coldwater Brass Co. Anti-Back Syphonage Ballcock C.B.C., No. 136.....	439-39-SA	Penberthy Vacuum Breaker.....	1200-38-SA
Crane Company Vacuum Breakers for Supply Fixtures, C-7830, sizes, 3/8", 1/2", 3/4", 1", 1 1/4", 1 1/2", 2" and 3"	750-38-SA	Scovill M. V. B. No. 22 Ballcock.....	942-38-SA
Crane Company Vigilant Vacuum Breaker....	345-38-SA	Scovill "S" Vacuum Breaker Ballcock.....	109-39-SA
Delany Vacuum Breaker, Model DV-88.....	842-38-SA	Scovill Vacuum Breaker Ballcock, No. 18....	515-39-SM
Delany Vacuum Breaker, Model DV-90.....	379-39-SA	Sloan Vacuum Breaker, Model V-60-A.....	167-38-SA
Hedges and Brother Pilot Vacuum Valve.....	186-39-SA	Standard Sanitary Tank-Vacuum Breaker....	208-39-SA
Kohler K-9251 Float Valve and Vacuum Breaker	492-39-SM	Vac-O-Vent, Model B	477-39-SM
		Watrous Flush Valve and Vacuum Breaker, Models Imperial, Majestic and Jewel.....	351-38-SA
		Watts-Vacuum Breaker, No. 88.....	346-39-SA

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BULLETIN

OF THE BOARD OF STANDARDS AND APPEALS CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except
Saturdays during July and August.

Address all communications to the Chairman.

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This issue of the Bulletin contains in the order given—

Docket.

Rules Directory.

Notice of Adjournment.

Approved Fuel Oil Fill Pipe Terminals.

Approved Fireline Hose Valves.

Second Quarterly Report.

Oil Burner Rules.

Approved Fuel Oil Pumps.

Approved Burners for Domestic and Commercial Use.

Approved Range Oil Burners and Space Heaters.

Approved Gas Heaters.

Approved Burners for Industrial Use.

Factory Exit Rules.

Smoking in Factory, Rules.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in con-
nection with which court proceedings are pending or in
progress, unless exception is granted by the chairman, nor
accepted which is not filed within thirty days from the date
of the action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the
rules of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his ap-
peal or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commis-
sioner of buildings or fire commissioner) and file with this
board a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET

New Cases Filed up to August 1, 1939

Cal. No. Department Premises Affected

996-39-SM.....Vitri granite Glazed Face Brick,
manufactured by Ketcham &
Company, Inc., Material.

997-39-SM.....Shawnee Facing Monotile, manu-
factured by Ketcham & Com-
pany, Material.

998-39-A.....F.D.....628-630 Driggs avenue, south-
west corner of North Fourth
street (Block No. 2352, Lot
No. 20), Borough of Brook-
lyn, 80552-L.C.

999-39-SM.....Medusa Floor Coating (Liquid
Paint for Concrete Floors),
manufactured by Medusa
Portland Cement Company,
Material.

1000-39-SM.....Medusa-Lite (Paint in paste
form) manufactured by Me-
dusa Portland Cement Com-
pany Material.

1001-39-SM.....Medusa Portland Cement Paint,
manufactured by Medusa Port-
land Cement Company,
Material.

1002-39-SM.....Perfection Joint Cover, manu-
factured by Dusing and Hunt,
Inc., Material.

1003-39-A.....F.D.....42-49 to 42-61 24th street and
24-01 to 24-15 43rd avenue,
northeast corner (Block No.
429, Lot No. 3), Long Island
City, Borough of Queens,
1718-L.F. and Decision.

1004-39-BZ....H.B.Q.....22-71 33rd street, east side, 76
ft. 2 3/8 in. north of 23rd
avenue and 33-09 23rd avenue
(Block No. 832, Lot No. 2),
Astoria, Borough of Queens,
Misc. Applic. 842-39.

1005-39-A....H.B.Q.....22-71 33rd street, east side, 76 ft.
2 3/8 in. north of 23rd avenue
and 33-09 23rd avenue (Block
No. 832, Lot No. 2), Astoria,
Borough of Queens,
Misc. Applic. 842-39.

1006-39-BZ....H.B.M.....61-70 Overlook Terrace, south-
west corner of West 187th
street (Block No. 2180, Lot
No. 46), Borough of Manhat-
tan, N.B. 9-38.

1007-39-BZ....H.B.Bx.....2334-2364 Jerome avenue, east
side, 96 ft. south of East 184th
street (Block No. 3187, Lot
Nos. 14 to 21), Borough of
The Bronx,
Decision re Certificate
of Occupancy.

1008-39-BZ....H.B.Bx.....1541-1543 Sheridan avenue, west
side, 364.06 ft. north of East
172nd street (Block No. 2821,
Lot Nos. 11 and 65), Borough
of The Bronx, Alt. 338-39.

1009-39-BZ....H.B.Bx.....804 Brook avenue and 511 East
158th street, northeast corner
(Block No. 2360, Lot Nos. 56
and 76), Borough of The
Bronx,
Decision re Certificate
of Occupancy.

1010-39-SM.....Hardwood Products Corporation
Fire Resistive Wood Doors,
manufactured by Hardwood
Products Corporation,
Material.

1011-39-SM.....Medusa Waterproofing Powder
and Medusa Concentrated
Waterproofing Paste, manu-
factured by Medusa Portland
Cement Company, Material.

1012-39-BZ....H.B.B.....4902-4910 Kings Highway, south-
east corner of East 49th street
(Block No. 7733, Lot Nos. 7
and 8), Borough of Brooklyn,
N.B. 1710-39.

1013-39-BZ....H.B.Q.....54-02 to 54-06 111th street,
southwest corner of 54th
avenue (Block No. 2010, Lot
Nos. 26 and 27), Corona, Bor-
ough of Queens,
N.B. 5708-39.

1014-39-SM.....Crane Non-Siphon Stop for
Flush Valves, one inch size,
Models C-13325-A, C-13327-A,
C-13330-A, C-13332-A, manu-
factured by Crane Company,
Material.

1015-39-SM.....Wellworth K-3700-PB Close-
Coupled Reverse Trap Closet,
manufactured by Kohler Com-
pany, Material.

1016-39-SM.....Gold Bond Fibre Insulation
Board, Gold Bond Fibre
Plank and Tile, Gold Bond
Fibre Insulation Lath and
Gold Bond Fibre Sheathing
Board, manufactured by Na-
tional Gypsum Company,
Material.

1017-39-BZ....H.B.Bx.....448-452 East 189th street, south
side, 89.02 ft. east of Third
avenue (Block No. 3042, Lot
Nos. 27 and 29), Borough of
The Bronx, N.B. 455-39.

1018-39-BZ....H.B.Bx.....173-175 West 167th street, north
side, 98 ft. west of Ogden
avenue (Block No. 2528, Lot
Nos. 35, 37, 42 and part of
Lot No. 39), Borough of The
Bronx,
Decision re Certificate
of Occupancy.

CALENDAR

1019-39-A....H.B.B.....666 Lafayette avenue, north side,
120 ft. east of Marcy avenue
(Block No. 1785, Lot No. 71),
Borough of Brooklyn,
Alt. 2645-39.

1020-39-A.....F.D.....15 Stone street, north side, 94.6
ft. west of Broad street
(Block No. 11, Lot No. 27),
Borough of Manhattan,
2343-L.F. and Decision.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—Depart-
ment of Housing and Buildings, Queens; H.B.R.—Department of
Housing and Buildings, Richmond; H.B.Bx.—Department of Housing
and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire
Department.

RULES

	Last Publication in Bulletin	
Carbon Dioxide Liquefier Rules.....	June	20, 1939—Vol. 24, No. 25
Certificate of Occupancy, approved form.....	Aug.	23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules.....	July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime).....	Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules.....	Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	Aug.	8, 1939—Vol. 24, No. 32
Fire Alarm Rules (Interior).....	Apr.	25, 1939—Vol. 24, No. 17
Fire Drill Rules.....	June	27, 1939—Vol. 24, No. 26
Fire Retarding Rules for Garages, \\\	July	11, 1939—Vol. 24, No. 28
etc.....	July	11, 1939—Vol. 24, No. 28
Fireproof Wood, Testing of.....	Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....	Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting \\\	Nov.	1, 1938—Vol. 23, No. 44
Rules.....	Nov.	1, 1938—Vol. 23, No. 44
Gas Shut-Off Rules.....	Apr.	7, 1925—Vol. 10, No. 14

Hatchway Protection.....	June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules.....	June	20, 1939—Vol. 24, No. 25
Oil Burner Rules.....	Aug.	8, 1939—Vol. 24, No. 32
Paint, Varnish and Lacquer Spray- ing Rules.....	July	11, 1939—Vol. 24, No. 28
Platform Trucks, Specifications for.....	Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules.....	Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Con- tamination of Water Supply).....	Aug.	1, 1939—Vol. 24, No. 31
Procedure, Rules of.....	Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.....	July	4, 1939—Vol. 24, No. 27
Smoking in Factories, Rules for.....	Aug.	8, 1939—Vol. 24, No. 32
Sprinkler Rules.....	June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....	June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.....	June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....	Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....	Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves.....	Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....	Aug.	8, 1939—Vol. 24, No. 32
Fuel Oil Burners for Domestic and Commercial Use.....	Aug.	8, 1939—Vol. 24, No. 32
Fuel Oil Fill Pipe Terminals.....	Aug.	8, 1939—Vol. 24, No. 32
Fuel Oil Burners for Industrial Use.....	Aug.	8, 1939—Vol. 24, No. 32
Fuel Oil Pumps.....	Aug.	8, 1939—Vol. 24, No. 32
Gas Heaters.....	Aug.	8, 1939—Vol. 24, No. 32
Paint, Varnish and Lacquer Spray-Aug. ing Equipment.....	July	11, 1939—Vol. 24, No. 28
Range Oil Burners and Space Heaters.....	Aug.	8, 1939—Vol. 24, No. 32
Vacuum Breakers.....	Aug.	1, 1939—Vol. 24, No. 31

ADJOURNMENT

*Notice is hereby given that the next regular meeting of
the Board of Standards and Appeals will be held on Tues-
day, September 12, 1939, at 10 a.m.*

APPROVED APPLIANCES

APPROVED FUEL OIL FILL PIPE TERMINALS

Name	Calendar No.	Name	Calendar No.
Alro	720-38-SA	Preferred	213-35-SA
Fee and Mason	10-36-SA	Rhode Island	204-35-SA
Flagg	345-35-SA	Seal-O-Strain	48-35-SA
J. H. N.	292-35-SA	Sealtite	231-35-SA
Moore and Kling, 6 inch Type D.....	184-38-SA	Simplex	214-35-SA
Newbury	223-35-SA	Weco	78-38-SA

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and
on uppermost stories on 8-inch systems

Name	Calendar No.
Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Name	Calendar No.
New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at
the Distribution Division of the City Record Office, Room
2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and
Buildings on Fire Retarding, Fire Escapes, Fire Stairs and
Fire Towers are now on sale at the Distribution Division
of the City Record Office, Room 2213, Municipal Build-
ing, Manhattan. Price 10c; by mail 12c.

SECOND QUARTERLY REPORT

CITY OF NEW YORK BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, CHAIRMAN
MUNICIPAL BUILDING

August 8, 1939.

Hon. Fiorello H. La Guardia,
Mayor of The City of New York,
City Hall, New York City.

DEAR SIR:

I have the honor to submit to you the Second Quarterly Report of the Board of Standards and Appeals for the year 1939. This report is being submitted to you in accordance with the provisions of the Charter, Section 892, and will also be printed in the Bulletin of the Board.

CASES FILED AND PENDING 1939

Filed 1939	A	BZ	S	SA	SM	SR	M'L	T'L	GR.T'L
JANUARY	74	23	1	4	13	0	87	202	..
Restored	1	10	0	0	0	0	0	11	213
FEBRUARY	75	24	4	10	25	1	64	203	..
Restored	3	7	0	1	0	0	0	11	214
MARCH	91	35	2	11	20	0	59	218	..
Restored	1	5	0	2	0	0	0	8	226
APRIL	59	24	4	9	31	0	84	211	..
Restored	2	10	1	0	0	0	0	13	224
MAY	78	28	3	43	23	1	97	273	..
Restored	2	7	0	2	0	0	0	11	284
JUNE	72	38	5	17	38	0	62	232	..
Restored	2	7	0	0	0	0	0	9	241
TOTAL	460	218	20	99	150	2	453	1402	1402
PENDING									
Dec. 31, 1938..	78	192	4	115	88	3	0	480	480
GRAND TOTAL..	538	410	24	214	238	5	453	1882	1882
DISPOSITION									
1939									
JANUARY	87	32	4	14	8	0	87	232	..
FEBRUARY	73	30	2	9	10	1	64	189	..
MARCH	70	24	1	13	15	0	59	182	603
APRIL	47	31	4	11	12	0	84	189	..
MAY	68	43	3	21	12	1	97	245	..
JUNE	64	46	4	8	17	0	62	201	635
TOTAL	409	206	18	76	74	2	453	1238	1238
PENDING									
June 30, 1939..	129	204	6	138	164	3	0	644	644

Code: A—Appeals from Administrative Decisions. BZ—Applications under Building Zone Resolution. S—Applications for Variations of Labor Law. SA—Applications for Approval of Appliances. SM—Applications for Approval of Materials. SR—Applications for Adoption of Rules. M'L—Miscellaneous Docket.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

SECOND QUARTERLY REPORT

SUMMARY

DOCKET		DISPOSITION OF CASES	
Cases pending December 31, 1938.....	480	Withdrawn	62
Cases filed up to June 30, 1939.....	886	Dismissed	22
Restored to Calendar	63	Denied	113
		Granted	13
		Granted on condition	423
		Appliances approved	67
		Appliances dismissed, disapproved or withdrawn....	9
		Materials approved	64
		Materials dismissed, disapproved or withdrawn.....	10
		Rules approved	2
		Rules disapproved, rescinded or withdrawn.....	0
MISCELLANEOUS APPLICATIONS		MISCELLANEOUS ACTIONS	
Requests to reopen	264	Requests to reopen granted	244
Requests to amend	115	Requests to reopen denied	12
Requests to rescind	6	Requests to amend granted	115
Requests for extension of time	29	Requests to amend denied	0
Requests for extension of permit	32	Requests to rescind granted	6
Requests for approval of plans	7	Requests to rescind denied	0
Administrative requests	0	Requests for extension of time granted	29
Requests for interpretation	0	Requests for extension of time denied	0
Total	1882	Requests for extension of permit granted	32
Disposed of	1238	Requests for extension of permit denied	0
Cases pending June 30, 1939.....	644	Plans approved	7
		Plans disapproved	0
		Administrative requests granted	0
		Administrative requests denied or withdrawn	0
		Interpretations	0
		Requests withdrawn or dismissed	8
		Total	1238

MONEYS RECEIVED

SUBSCRIPTIONS	APRIL	MAY	JUNE	TOTAL	1st QUAR.	GR. T'L.
To Bulletin	\$127.50	\$75.00	\$85.00	\$287.50	\$255.00	\$542.50
Cash Sales	31.60	36.95	46.18	114.73	80.45	195.18
Paid to City Treasurer.....	\$159.10	\$111.95	\$131.18	\$402.23	\$335.45	\$737.68

EDWARD V. BARTON, *Chief Clerk.*

HARRIS H. MURDOCK, *Chairman.*

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 **APPROVED**: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 **AUTOMATIC PUMP**: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 **BURNER**: A device designed for the purpose of burning oil.
- 2.5 **COMMERCIAL INSTALLATIONS**—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 **CONTROLS**—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 **DISCHARGE LINE**: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 **DOMESTIC INSTALLATIONS**—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 **DWELLINGS**: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.
- 2.10 **ELECTRICALLY GROUNDED**: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 **FILL PIPE**: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 **FIRE RETARDING MATERIALS**:
 - 2.12.1 One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 **GROUND**: An electrical conductor having capacity to absorb current.
- 2.14 **INDUSTRIAL INSTALLATIONS**: Oil burner installations for industrial purposes.
- 2.15 **OIL**: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.
- 2.16 **OIL BURNING EQUIPMENT**: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 **OIL LEVEL INDICATING DEVICE**: A means by which the level of the oil in a storage tank may be indicated.

RULES

2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

2.20 PERMIT: Shall mean permit for storage of oil.

2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.

2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.

2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

[a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (Ameri-

can Society for Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A. P. I.)	40-44°
No. 1 Fuel Oil	"	"	"	36-40°
No. 2	"	"	"	32-36°
No. 3	"	"	"	28-32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

[b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

[a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.

[b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

[c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

[a] 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.

[b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.

[c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:

Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.

Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.

Tanks 73 to 120 in. in diameter—5/16 in. shell, 3/8 in. heads.

Tanks over 120 in. in diameter to be of 3/8 in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart. Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20') feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet..... | 24,000 " |
| If distant 40 feet..... | 36,000 " |
| If distant 50 feet..... | 48,000 " |
| If distant 60 feet..... | 60,000 " |
| If distant 75 feet..... | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with **clay core**; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such control may be located immediately inside the

room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.14.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

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lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.

- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline	
Autopulse Electric Oil Pump Outfit, Model		and Fuel Oil	175-35-SA
No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston		Quimby Screw Pump	1193-21-SA
Pattern Pump	372-21-SA	Range-O-Matic Oil Pump, Model 50 and Suc-	
Century Rotary	908-21-SA	tion Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB,	
Enterprise Oil Pump	11-28-SA	77-OB, 90B-1, 90B-2, S-1 and S-2.....	199-36-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
Goulds Hand Rotary	1133-25-SA	Teesdale Oil Pump, Types S, 2S and 4S.....	281-38-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Triplex Plunger	257-22-SA	Tuthill Fuel Oil Pump, Models L, LD and	
Hardinge Fuel Oil Pump.....	813-25-SA	30-LE Fuelstat	568-30-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Koerting Gear Pump.....	1264-25-SA	Viking	438-21-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Warren Oil Pump	1169-23-SA
Leiman Rotary	95-24-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Marsh Fuel Oil Pump.....	1050-23-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA	Worthington Duplex Double-Acting Steam	
M. D. Rotary	52-27-SA	Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA
		Yale and Towne Tri-Rotor Pump.....	191-39-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A. B. C. Oil Burner.....	1295-24-SA	Braden Automatic Fuel Oil Burner.....	322-30-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Branford Oil Burner.....	36-31-SA
Ace Rotary Oil Burner.....	47-35-SA	Branford Oil Burner, Model "A".....	461-32-SA
Acme Automatic Oil Burner (Gun Type)		Brighton Oil Burner.....	372-33-SA
Model A-1	112-36-SA	Bullet Automatic Oil Burners, Models A and B	195-33-SA
Acme Oil Burner, Models BO-1 and BO-2..	132-34-SA		
Aetna Automatic Oil Burner.....	1547-23-SA		
Air-Blast Oil Burner.....	579-32-SA	Caloroil Burner, Type AA.....	1361-24-SA
Airnoil Burner	175-37-SA	Caloroil Horizontal Rotary Oil Burner, Models 1, 2, 3, 4, 5 and 6.....	327-31-SA
Airtemp Oil Burner, Models B-6 and C-6....	139-36-SA	Camel Automatic Oil Burner, Model 30, Types A, B and C and Models J and A.S.....	229-32-SA
Airtemp Oil Burner, Models D, F and G....	88-34-SA	Capitol Oil Burner, Models A, B and E....	23-37-SA
Aldrich Heat-Pak Oil Burner, Models 35, 35F, 35TF, 35LG, 35DD, 35J, 35OA, 35P, 35GF, 35FF, 35CA and Compact.....	237-36-SA	Carboradiant Oil Burner, Models V & VS...	16-31-SA
Aldrich Sav-Haf Oil Burner, Models 35F5SP, 35F5LP, 35F5XP and 35J5.....	514-39-SA	Carboradiant Oil Burner, Model VSS.....	49-32-SA
Alladin Oil Burner.....	298-26-SA	Carborundum Burner	571-29-SA
Alexander Oil Burner.....	65-28-SA	Carrier Oil Burner, Models CE, FE, F, G and H	116-37-SA
Alida Oil Burner.....	124-34-SA	Carrier Oil Burner, Model 62C2.....	499-38-SA
Alida-Remington Oil Burner.....	124-34-SA	Carrier Oil Burner, 62D2 and 62D3.....	334-39-SA
Alpine Oil Burner, Models A and H.....	110-36-SA	Cardinal Oil Burner, Model C	50-37-SA
Ameco Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA	Carter-Korth Oil Burner, Model "P".....	389-32-SA
Ameco Oil Burner, Model 2½M.....	559-38-SA	Carter-Korth Oil Burner	54-30-SA
American Blue Flame and Sun Flame Oil Burning Heaters, Models No. 73, 86, 88, 92, 93, 94, 95, 96, 4512, 4518, 4528, 4538, 4562, 4563, 4573, 4578, 4588, 4688, 4678, 4668, 4666, 4683, 4663, 4653, 4673, 4674, 4664, 4612, 4618, 4628, 4638, 4788, 4778, 4768, 4783, 4763, 4753, 4773, 4712, 4718, 4721 and 4738	298-33-SA	Carter Oil Burner, Models, 4X, 5X, 6X and 10X	117-34-SA
Arcoflame Oil Burner	426-38-SA	Ceco Oil Burner	354-35-SA
Arcoflame Oil Burner, Models B and C.....	426-38-SA	Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Aristocrat Oil Burner	222-35-SA	Century Oil Burner	157-28-SA
Arrow Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA	Century Pressing Machine Oil Burner, Models U1 and U2.....	25-37-SA
Arrow Oil Burner, Model 2½M.....	559-38-SA	Challenger Kleen Heat Burner, Series No. 100	813-28-SA
Associated Oil Burner	178-35-SA	Challenger Oil Burner, Model "A".....	86-34-SA
Auto Heat Oil Burner.....	284-33-SA	Chalmers-Ace (Rotary) Oil Burner.....	47-35-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA
Automatic Airless Oil Burner, Model No. 1..	53-34-SA	Citro Oil Burner, Models A and B.....	86-36-SA
		Clark Domestic Gun Type Oil Burner, Models EJ-1 and EJ-2	579-37-SA
Baker Automatic House Heating Burner....	1323-22-SA	Clark Horizontal Rotary Oil Burner.....	618-37-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Commonwealth Automatic Oil Burner.....	348-28-SA
Baker Perkins Atomizing Type, Mechanical Draft Oil Burner, Types C and CD.....	329-35-SA	Concord Burner	108-35-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Conservoil Burner, Models H-1C and H-1F..	155-37-SA
Ballard Oil Burner, Models B-A, 1, 2, 3 and 4	447-32-SA	Continental Oil Burner, Models A, B and C..	146-31-SA
Ballard Oil Burner, Model BAO.....	839-38-SA	Cook's Automatic Oil Burner.....	955-27-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Cope-Swift Safety Automatic Oil Burner....	354-31-SA
Bauer Oil Burner.....	129-37-SA	Craftsman Oil Burner	222-35-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Crano Oil Burner, Models H-IC and H-IF..	155-37-SA
Beckett Commodore Oil Burner, Model OB-1	518-39-SA	Crater Automatic Oil Burner.....	34-34-SA
Benat Oil Burner, Models A, B and E.....	23-37-SA	Crescent Oil Burner.....	222-29-SA
Berggren Oil Burner.....	764-26-SA	Crescent Type M Size I Oil Burner and Models 8, 18 and 28.....	592-31-SA
Bethlehem-Doe Oil Burner, Models CE, FE, F, G and H.....	116-37-SA	Creveling Oil Burner, Models A, B and E...	23-37-SA
Bethlehem-Hering Oil Burner, Models CE, FE, F, G and H.....	116-37-SA	Crown Oil Burner, Type XA.....	426-29-SA
Bethlehem Oil Burner, Crusader Model.....	335-38-SA	Crystal Blue Flame Oil Burner.....	423-29-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA		
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA	Dahl Vaporizing Oil Burner.....	915-26-SA
Bettendorf "Double Heat" Automatic Oil Burner, Models MV and MW.....	505-37-SA	D'Elia Oil Burner.....	155-31-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Delco Heat Oil Burner.....	420-31-SA
Bettendorf Oil Burner.....	731-28-SA	Delco Heat Oil Burner, Models DX, D12, D34, D44, DR, DRO, DR-1, DRF, DF2, and DLM	800-38-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	Demand Oil Burner	108-34-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	DeWalt Oil Burner.....	541-31-SA
Rock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA	Diesel-American Oil Burner, Model D-A-1..	6-37-SA
Borden Oil Burner, Model B.....	29-37-SA	Diesel Oil Burner	354-35-SA
		Dietz Oil Burner, Type B.....	295-29-SA
		Dietz Oil Burner, Type D.....	1105-22-SA
		Dist-o-matic Oil Burner.....	663-28-SA
		Doe Oil Burner.....	317-31-SA
		Doherty Oil Burner.....	943-26-SA
		Draft-Rite Oil Burner	178-35-SA
		Dupont Oil Burner	248-36-SA

APPROVED APPLIANCES

Name of Burner	Calendar No.	Name of Burner	Calendar No.
Easternoil Automatic Oil Burner, Models A, B and C	600-31-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Econ-O-Heat Oil Burner, Model E.....	130-37-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Econ-O-Mizer Oil Burner, Models E, M and A	393-38-SA	Gould Automatic Oil Burner.....	178-35-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Grant Oil Burner.....	382-26-SA
Edison Oil Burner, Models A, B and E.....	23-37-SA	Grant Oil Burner, Model "C".....	232-32-SA
Eisler Automatic Oil Burner.....	481-27-SA	Hardinge Oil Burner.....	813-25-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Electrol Automatic Oil Burner and Models BB, C, EA, TCV, TUV, TM and JM...	259-25-SA	Harris Fuel Oil Burner.....	690-30-SA
Ember-Glo Oil Burner.....	462-32-SA	Hart Automatic Oil Burner.....	1162-24-SA
Empire Oil Burner	222-35-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Hart Oil Burner, Model "H".....	221-33-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Hauck Venturi Low Pressure Oil Burner....	88-27-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Hayward Oil Burner (Vertical Rotary), Models AG, BG, CG, DG, AP, BP, CP and DP	696-30-SA
Espo Oil Gas Burner.....	1431-23-SA	Hayward Oil Burner, Model 2000.....	118-35-SA
Esso Oil Burner, Models E.B. 1 and 2.....	520-31-SA	Heat and Power Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Esso Oil Burner, Models E.B. 3, 4 and 5....	109-31-SA	Heat and Power Oil Burner, Model 2½M....	559-38-SA
Esso Oil Burner, Model EBOO.....	839-38-SA	Heat King Oil Burner, Model 2.....	98-35-SA
Evenheat Oil Burner.....	554-32-SA	Heat-O-Matic Oil Burner.....	178-35-SA
Everedy Oil Burner.....	102-33-SA	Heat-Pak Oil Burner, Models 35 and Compact	237-36-SA
Fadco Oil Burner	493-24-SA	Heatiator Oil Burner.....	1346-23-SA
Fairfield-Diesel Oil Burner.....	753-38-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Fairfield Model F Jr. Oil Burner.....	547-37-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Fairfield Oil Burner.....	584-31-SA	Henjes Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Faultless Oil Burner.....	493-24-SA	Herco Oil Burner, Models R-15, R-35, F, P-15, P-35, P-50, J-5, J-10, S-20 and S-40..	21-36-SA
Fine-Glo Oil Burner.....	178-35-SA	Hercules Oil Burner.....	510-29-SA
Fitzgibbons Oil Burner, Model M.....	172-37-SA	Hercules Oil Burner, Models H, HF and Type H, 1937 Model	309-33-SA
Flex-O-Gas Oil Burner for Pressing Machine, Model T-2	125-36-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA	Herman Nelson Conversion Oil Burner.....	144-36-SA
Fluid Heat (Gun Type) Oil Burner, Model P	134-35-SA	Hillcrest Oil Burner, Models A, B and E....	23-37-SA
Fluid Heat Oil Burner.....	361-32-SA	Hipoint Oil Burner, Models A-2, B-2 and C-2	11-36-SA
Forsdraft Oil Burner.....	41-34-SA	Hofmann Automatic Fuel Oil Burner, Model 41	274-35-SA
Foster Oil Burner.....	715-26-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Franklin Domestic Oil Burner.....	560-26-SA	Holland Gun Type Oil Burner.....	225-37-SA
Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA	Holland Type "F" Oil Burner.....	237-34-SA
Friar Oil Burner, Models R-15 and R-35....	21-36-SA	Home-Utility Oil Burner, Models A and H..	110-36-SA
Fuelo Oil Burner.....	47-30-SA	Homer Domestic Oil Burner.....	1211-25-SA
Gar Wood Oil Burner.....	373-30-SA	Homer Utility Oil Burner.....	187-33-SA
Gar Wood Oil Burner, Models K, K-3500, T and W	481-32-SA	Homestead Oil Burner, Model E.....	176-36-SA
General Automatic Oil Burner, Model A....	60-36-SA	Homestead Twin Control Oil Burner, Models J, N, H, JU and NU.....	176-36-SA
General Electric Fuel Oil Burner.....	434-32-SA	Hupp Oil Burner, Models H, U. P and PP..	10-34-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	Ideal Arco Variflame Oil Burner.....	837-38-SA
General Electric Oil Burner, Type DB-2....	201-38-SA	Ideal Oil Burner, Models A, B and E.....	23-37-SA
General Electric Oil Burner, Models LA-3 and LA-6	605-38-SA	Imperial Oil Burner.....	187-33-SA
Ghapco Steam Generator	348-31-SA	Improved Kres-Kno Oil Burner and Model MD	591-29-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, FPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH....	1493-22-SA	Indiana Oil Burner, Models AG, AGH, AP and APH	503-37-SA
Gilbarco G.B.O. Oil Burner.....	282-33-SA	Inferno Oil Burner.....	82-33-SA
Gilbarco Industrial Burner.....	350-32-SA	International Mechanical Draft Oil Burner..	372-30-SA
Gilbarco Oil Burner, Models G.B. 1 and 2...	520-31-SA	International Oil Burner.....	1305-24-SA
Gilbarco Oil Burner, Models G.B. 3, 4 and 5	109-31-SA	Iron Fireman Oil Burner, Model M.....	577-39-SA
Gilbarco Oil Burner, Model GBOO.....	839-38-SA	Jacobsen Balanced Oil Burner, (Model V-1)	333-33-SA
Gilbert & Barker Flexible Flame Burner....	109-31-SA	Johnson Improved Rotary Fuel Oil Burner..	938-22-SA
Gilbert & Barker Junior Flexible Flame Domestic Oil Burner.....	520-31-SA	Joyce Oil Burner.....	852-26-SA
Gilbert & Barker Oil Burner, Model S-1....	282-33-SA	K. F. C. Oil Burner.....	846-25-SA
Gilbert-Bethlehem Oil Burner, Models CE, FE, F, G and H.....	116-37-SA	Kaytown Quiet Automatic Oil Burner, Models A, B and C.....	146-31-SA
Gill Oil Burner.....	1231-23-SA	Kelco Oil Burner.....	237-33-SA
Gold Star Oil Burner, Models F, S, J and J-1	166-33-SA	Kelvinator Oil Burner.....	339-31-SA
Golden Glow Oil Burner.....	493-24-SA	Kelvinator Oil Burner, Models K, 0256-A, 0256-B, 0256-C, 0456, 0836 and NK 30-A and Models NK 30-B, NK 30-C, NK 30-D, NK 45 and NK 83.....	105-34-SA
Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Kelvinator Rotary Oil Burner, Models NKB-275S, NKB-400S, NKB-525S, NKB-675S, NKB-440W, NKB-640W,, NKB-840W and NKB-1080W	255-39-SA	Minneapolis Automatic Oil Burner.....	34-34-SA
KeWaNee Oil Burner, Model "C".....	518-32-SA	Mohawk Oil Burner, Models A and H.....	110-36-SA
Keystone Oil Burner, Models LP and WP..	438-38-SA	Monitor Oil Burner.....	202-34-SA
Kingsco Oil Burner, Model E.....	130-37-SA	Morgan Oil Burner, Models A and H.....	110-36-SA
Kingsway Century Oil Burner, Models F and G	369-33-SA	Morrissey Oil Burner.....	673-27-SA
Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA
Kleen Heet Oil Burner.....	62-24-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Kleen Heet Oil Burner, Type 902.....	99-35-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Kleen Heet Oil Burner, Type R.....	49-33-SA	Morse Fuel Oil Burner.....	820-23-SA
Korth Oil Burner, Models G and S.....	136-34-SA	Moto-Heat Oil Burner.....	195-32-SA
Kreager Oil Burner.....	367-30-SA	Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15	628-23-SA
Kres-Kno Oil Burner.....	443-28-SA	Mousette Oil Burner.....	887-25-SA
Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1.....	354-34-SA	Nabco Oil Burner.....	287-37-SA
Kresky Oil Burner, Model MD.....	591-29-SA	Nairoil Oil Burner, Type R, Model E.....	13-35-SA
Laco Oil Burner, Model NL.....	670-30-SA	National Airoil High Pressure Burner.....	185-29-SA
Laco Oil Burner, Models F, JF, BF and D..	226-33-SA	National Airoil Low Pressure Burner.....	186-29-SA
Lange Economical Oil Burner.....	355-33-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Latham Automatic Oil Burner.....	49-38-SA	National Devices Oil Burner.....	184-36-SA
Lawrence May Oil Burner.....	1034-27-SA	National Heat and Power Co., Inc., Oil Burner	788-38-SA
Leader Bake Oven Oil Burner.....	384-36-SA	National Oil Burner, Model E-J.....	360-34-SA
Leader Oil Burner.....	425-31-SA	National Oil Burner, Series N, Models S, I and C	1129-38-SA
Lectromatic Oil Burner, Model 2½M.....	559-38-SA	National Rotary Oil Burner.....	836-25-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA
Lektro-Matic Oil Burner, Models 1-G, 2-G, 3-G, 4-G and 5-G.....	265-37-SA	New Perfection Oil Burner, Type "C".....	518-29-SA
Lennox Oil Burner, Series LE-1, LE-2 and LE-3	565-38-SA	New Process Oil Burner.....	1071-27-SA
Liberty Automatic Heater.....	129-28-SA	Nichols-McCann-Harrison Burners	255-31-SA
Liberty Pressure Oil Burner.....	75-34-SA	Noiseless Nokol Model G Oil Burner.....	801-28-SA
Lochinvar Oil Burning Unit.....	142-36-SA	Noiseless Nokol Rotary Oil Burner, Model R	584-28-SA
Lonergan Automatic Oil Burner.....	208-33-SA	Nokol Automatic Burner.....	1078-24-SA
Luxor Heat Oil Burner.....	322-30-SA	Norge Oil Burner, Models N5, N8, N68 and N88	345-31-SA
Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA	Norge Oil Burner Models N8, N18 and N28.	226-34-SA
"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800..	341-32-SA	Norge Oil Burner, Models N8-8C and N13-8C	543-37-SA
M. W. Emancipator Oil Burner.....	102-33-SA	Norge Water Heater, Models 23 and 45.....	365-34-SA
M. W. Oil Burning Water Heater.....	737-29-SA	Nu-Way Oil Burner.....	773-26-SA
M. W. Water Heater, Model 20-D.....	365-34-SA	Nu-Way Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Magna Fuel Oil Burner.....	197-33-SA	Nu-Way Oil Burner, Model 2½M.....	559-38-SA
Majestic Oil Burner.....	693-30-SA	Oil Aire-Flo Burner Unit, Series H.....	564-38-SA
Major Oil Burner, Models H, U, P and PP..	10-34-SA	Oilbuilt Burner	85-33-SA
Major Oil Burner, Models M and J.....	293-38-SA	Oil King Oil Burner, Models F, S, J and J-1	166-33-SA
Marr Oil Burner, Model H, Type R.....	765-26-SA	Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA
Marvelo Oil Burner, Model MB.....	336-38-SA	Orco Oil Burner, Model A-1.....	216-36-SA
Master Fuel Oil Burner.....	350-32-SA	Oronoque Oil Burner.....	394-30-SA
Master Gulf Oil Burner, Models A, B and E	23-37-SA	Orr Fuel Oil Burner.....	113-26-SA
Master-Kraft Oil Burner.....	83-33-SA	PDM Low Pressure Oil Burner.....	205-38-SA
May Oil Burner, Models L, C and S.....	68-24-SA	Pacific Oil Burner.....	343-35-SA
May Oil Burner, Models BB, B, NSJ, F, NSJ1, W, SMT, LCT and DU.....	46-34-SA	Packard Fuel Oil Burner.....	77-34-SA
Mayfield Oil Burner.....	568-31-SA	Paragon Oil Burner, Model A-25.....	248-37-SA
Mayflower Oil Burner.....	124-29-SA	Paragon Oil Burner, Models R-15 and R-35..	21-36-SA
Mazda Oil Burner, Models A, B and E.....	23-37-SA	Paramount Oil Burner.....	1193-25-SA
McIlvane Oil Burner.....	544-29-SA	Paramount Oil Burner, Model A.....	617-30-SA
Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Pascoe Oil Burner.....	1029-26-SA
Merco Oil Burner.....	637-29-SA	Penn Automatic Oil Burner, Gun Type.....	250-37-SA
Mercuriol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Penn Rotary Oil Burner.....	236-35-SA
Mercury Oil Burner, Model M-2.....	722-39-SA	Peoples Silent Oil Burner, Models O and G..	313-35-SA
Metered Heat Oil Burner, Model G.....	136-34-SA	Perfect Automatic Oil Burner, Models DL-7, DL-8, DL-10, 0-5, 0-7, 0-8 and 0-10.....	264-35-SA
Metro-Pressure Oil Burner, Models A, B and C	146-31-SA	Perfect Automatic Oil Burner (Gun Type), Model A-1	112-36-SA
Micron Oil Burner.....	345-34-SA	Perfect-Pantex Oil Burner.....	271-33-SA
Midget Oil Burner.....	155-34-SA	Perfex Airnoil Burner	175-37-SA
Midget Pressing Machine Oil Burner.....	122-35-SA	Petro Domestic Burner.....	161-26-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Petro Model T Oil Burner.....	451-31-SA
		Petro Model W Oil Burner.....	452-31-SA
		Petro Burner, Model O.....	78-28-SA
		Petro Burner, Model P-2.....	735-30-SA
		Petro Oil Burner, Model W-2.....	244-33-SA
		Petro Oil Burner, Models W-1 and W-1½...	245-33-SA
		Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Silent Flame Oil Burner, Model M.....	172-37-SA
Philco Oil Burner, Models AM and B.....	27-37-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA
Precision Oil Burner, Model W.....	137-37-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA	Silent Glow Oil Burner, Models 600, 800, 1000, 1200, 1800, 2800, 3800, 6800 and 8800.	345-31-SA
Pressure Oil Burners, Models A B and C...	146-31-SA	Silent Glow Oil Burner, Model 1300.....	12-37-SA
Presto Automatic Oil Burner.....	294-34-SA	Silent Glow Oil Burner for Pressing Machines, Models 600 and 800.....	327-37-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Silent Heet Oil Burner, Models A, B and E..	23-37-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Silent Heet Oil Burner, Model C.....	96-36-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS.....	224-34-SA	Silent Paramount Oil Burner, Models F and G	369-33-SA
Public Service Oil Burner, Models R-15 and R-35	21-36-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Pyrolyne Oil Burner.....	184-36-SA	Simplex Domestic Type "S.P." Oil Burner..	145-31-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Simplex Horizontal Rotary Oil Burner, Types H, H.E.G. and H.E.G.-H.....	367-36-SA
Quiet Heet Oil Burner.....	49-36-SA	Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.....	1203-22-SA
Quiet May Oil Burner, Models L, C and S...	68-24-SA	Socony Arrow Oil Burner.....	1191-24-SA
Quiet May Oil Burner, Models BB, B, NSJ, F, NSJ1, W, SMT, LCT and DU.....	46-34-SA	Standard Automatic Oil Burner, Type 14-G.	536-31-SA
Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA	Standard Automatic Oil Burner, Type 11-G.	537-31-SA
Radiant Oil Burner, Model 2½ M.....	559-38-SA	Standardyne Oil Burner.....	34-34-SA
Rasol Oil Burner.....	108-34-SA	Stephens Oil Burner, Models Nos. 1 and 2....	146-33-SA
Ray-Dio Sunshine Oil Burner, Model C, sizes 12, 14 and 16.....	368-34-SA	Sterling Oil Burner	322-30-SA
Ray Gun Type Oil Burner, Model XP.....	50-38-SA	Stromberg Oil Burner, Models A, B and E...	23-37-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Stuhler Oil Burner.....	618-27-SA
Rayfield Oil Burner.....	504-26-SA	Stuhler Oil Burner, Model R.....	84-36-SA
Real Host Oil Burner.....	38-34-SA	Summerheat Oil Burner.....	581-26-SA
Re-Ly-On Oil Burner.....	745-26-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Remington Oil Burner.....	891-26-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Reynolds Automatic Oil Burner, Model R-G.	440-37-SA	Sun-Glo Oil Burner, Models A, B and E....	23-37-SA
Reynolds Oil Burner, Model GC.....	266-34-SA	Sun Heat Oil Burner.....	603-29-SA
Richfield Oil Burner, Pressure Gun Type....	73-36-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Sunway Oil Burner.....	624-30-SA
Rickard Oil Burner.....	1011-27-SA	Super Automatic Oil Heater Model SSH...	715-29-SA
Ritz Oil Burner, Model A.....	378-36-SA	Super Automatic Zephyr Oil Burner, Model A	463-31-SA
Rohr Schanck Fuel Oil Burner.....	583-21-SA	Superb Oil Burner, Models A and B.....	86-36-SA
Rotoflame Gem Oil Burner.....	187-33-SA	Superfex Oil Burner, for Warm Air Furnaces, Models 100, 100-E, 101, 101-E, 200, 200-E, 300 and 300-E	400-32-SA
Round Oak Oil Burner.....	343-35-SA	Superheat Oil Burner, Model D.....	254-33-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA	Superior Oil Burner, Models A and H.....	110-36-SA
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA	Supreme Oil Burner, Model G.....	136-34-SA
S & K Wide Range Fuel Oil Burner.....	10-33-SA	Swirling Heat Oil Burner, Model A-M.....	242-36-SA
S-K Oil Burner, Models F and G.....	369-33-SA	Sword Automatic Oil Burner.....	951-25-SA
S and W Air King Oil Burner.....	493-24-SA	Syncro-Flame Oil Burner, Models R and RH	139-35-SA
S. T. Johnson Co. B.H. Oil Burner.....	517-37-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA	Thatcher Oil Burner (Gun Type), Models B-1 and B-2	831-39-SA
S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA	Thermoil Oil Burner, Model G1.....	324-36-SA
S. T. Johnson Oil Heat Servant.....	157-34-SA	Thompson-Gould Oil Burner	178-35-SA
Sachem G.B.O. Oil Burner.....	282-33-SA	Thoroburn Oil Burner, Model A-1-16-G....	269-33-SA
Schulze Home Oil Burner.....	1487-23-SA	Timken Oil Burner, Model 20.....	287-28-SA
Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA	Timken Rotary Oil Burner.....	297-29-SA
Sealdheet Oil Burner, Model SH.....	160-36-SA	Timken Silent Automatic Heater (Water Heater Unit) Models 40-A and 50-B....	121-35-SA
Security Oil Burner.....	56-28-SA	Timken Silent Automatic Oil Burner, Model G	266-34-SA
Shepard Oil Burner.....	563-30-SA	Timken Wall Flame Oil Burner, Model F....	497-38-SA
Shill Oil Burner.....	315-30-SA	Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA
Shur-Heat Oil Burner, Models R-15 and R-35	21-36-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Silent-Auburn Fuel Oil Burner, Models A, B, C, O, A1 and AA.....	461-31-SA	Todd Rotary Burner and Pump, Types P.A.H. and P.A., and Models A, B, C, C-1 and D	281-37-SA
Silent Automatic Oil Burner.....	458-26-SA	Todd Spiro Oil Burner.....	470-31-SA
Silent Automatic Burner, Model "B".....	709-30-SA	Todd Spiro Burner (pump type).....	94-32-SA
Silent Automatic Burner, Model "E".....	710-30-SA	Toridheet Oil Burner	63-28-SA
		Toridheet Oil Burner, Model G.....	17-35-SA
		Tri-Aire Oil Burner, Model C-3.....	188-36-SA
		Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Tropic Heat Oil Burner, Model G.....	136-34-SA	Warner Oil Burner, Model A.....	16-34-SA
Twin City-on-the-Door Oil Burner.....	129-27-SA	Wayne Oil Burner.....	1155-25-SA
U and S Oil Burner for Pressing Machine, Models A, B and C.....	331-36-SA	Wayne Domestic Oil Burner, Model K.....	115-32-SA
Uni-Lec-Tric Oil Burner.....	498-29-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
United States Gun-type Oil Burner.....	222-35-SA	Webster Oil Burner, Model M.....	172-37-SA
United States Oil Burner.....	620-28-SA	Weco Multi Oil Burner, Low Pressure Type.	24-36-SA
Universal Fuel Oil Burner.....	6-24-SA	Westinghouse "Spiralaire" Oil Burner, Model J	559-39-SA
Universal Oil Burner.....	584-31-SA	Wheco Oil Burner.....	108-34-SA
Vapomatic Oil Burner.....	275-34-SA	White Flame Oil Burner.....	357-35-SA
Vaporoil Burner	44-32-SA	White Heat Oil Burner.....	232-36-SA
Vesta Oil Burner.....	451-26-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB, R and HP-3.....	918-22-SA
Victor Oil Burner.....	612-30-SA	Windsor Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA
Victory Oil Burner.....	320-30-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Viking Oil Burner.....	396-32-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Vitro-Heet Oil Burner, Model MD.....	591-29-SA	Wizard Automatic Oil Burner.....	181-33-SA
Vitro-Heet Pressing Machine Burner, Mod- el MD, sizes KRF and KRF-1.....	354-34-SA	York Automatic Oil Burner.....	44-29-SA
Volcano Automatic Oil Burner.....	556-29-SA	York Bake Oven Oil Burner.....	384-36-SA
Volcano Automatic Oil Burner, Models EW, EW-1, EW-2 and E	341-33-SA	York Horizontal Rotary Oil Burner (Type AP)	56-36-SA
Volcano Automatic Oil Burner, Models D, H and K	234-37-SA	York-Lalor Oil Burner	261-37-SA
Vortex Oil Burner, Type V, Model No. 7....	180-38-SA	Yorktown Oil Burner.....	166-33-SA
Wards Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA	Yorktown Oil Burner, Model A.....	3-35-SA
		Zenith Oil Burner.....	270-34-SA

APPROVED APPLIANCES

APPROVED RANGE OIL BURNERS AND SPACE HEATERS

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly	250-34-SA	Easyway Water Heater, Models H.W.1 and H.W.2	159-35-SA
Aetna Range Oil Burner	29-35-SA	Ellington Range Oil Burner, Square Circulat- ing Heater and Round Circulating Heater	351-34-SA
Aetna Water Heater, Models 6, 7, 9 and 47 W.H.T. and 15 and 16 W.H.T.	148-37-SA	Ellington Range Oil Water Heater, Models M and J	40-35-SA
Air-O-Flame Space Heater, Models 108 and 810 (pot type)	190-35-SA	Estate Oil Heatrola (Oil Burner), Models 821F, 822F, 822FT, 823F, 825FT, 827F, 883F, 884F, 885F, 913F, 913FT, 915F, 917F and 919F	135-39-SA
Air-O-Flame Space Heater, Models 71, 91, 1572 and 1582 (sleeve type)	206-35-SA	Estate Speedex Oil Heater, Models 731, 732, 733, 734, 735 and 737.....	135-39-SA
Air-O-Flame Range Burner	236-34-SA	Evur-Ready Range Oil Burner, Models Leader, Standard and DeLuxe.....	311-34-SA
American Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92.....	224-36-SA		
Ameroil Oil Burner for Stoves and Ranges..	592-32-SA		
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA	Fairfax Range Burner	302-34-SA
Bland Range Oil Burner.....	234-34-SA	Florence Cabinet Heaters, Models CK-1, CK-2, CJ-1, CJ-21 and C-2.....	545-39-SA
Blue Glow Range Oil Burners, Models Su- preme and DeLuxe	308-34-SA	Florence Oil Heater, Models KC-9, GC-6, GC-7, GS-27, CH-9, CH-27, CH-28, CH-29, RH-7 and RH-9.....	62-33-SA
Brigham Range Oil Burner.....	217-35-SA	Florence Oil Space Heater, Models PH-28, PH-8, PC-8, PC-28, PR-10, PR-81 and PR-82	172-35-SA
Caloroil Range Oil Burner.....	172-34-SA	Florence Range Burners	219-34-SA
Champion Range Oil Burner, Models A and B	291-34-SA	Fox Range Oil Burner.....	200-34-SA
Cole Hot Blast Oil Burning Stove, Model No. 912	207-35-SA	Frogil Oil Burning Space Heater, Models 182, 274, 284, 294, 487 and 588.....	923-38-SA
Coleman Oil Burning and Space Heater, Models 821A, 822A, 824, 825, 826 and 827	308-36-SA		
Diamond Range Oil Burner.....	325-34-SA	Gilbert and Barker Oil Space Heaters, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811	56-37-SA
Easyway Range Oil Burner, Models D27, DC27, G27 and NG27.....	157-35-SA	Hi-Heat Range Burner, Models A and De- Lux	323-34-SA
Easyway Space Heater, Models CRL19, CRN17, CSP27 and CSP19.....	158-35-SA	Hupp Range Oil Burner, Models S.D. and C.D.	309-34-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Ker-Oil Automatic Water Heater.....	263-35-SA	Quaker Burnoil Stove	11-31-SA
Kerogas Bowl Type Space Heater, Models 300-300-A, 303-303-A, 310-310-A, 315-315-A and 320-320A	266-35-A	Quick Meal Range Burner	304-34-SA
Kerogas Hot Blast Oil Heater, Models 210, 135, 110, 207 and 115.....	339-34-SA	Quick Meal Space Heater, Models 5672-0, 5671-13, 5671-33 and 5671-35.....	306-34-SA
Kolrid Range Burner	48-34-SA	Quick Meal Water Heater, No. 5681-0.....	305-34-SA
Kres-Kno Range Oil Burner, Model MD. Sizes KR, KRF, KRF-1 and 1R.....	355-34-SA	Ray-Dio Sunshine Range Oil Burner, Models A, Daisy and Water Heater.....	32-31-SA
Lochinvar Automatic Oil Burning Water Heater	143-36-SA	Sachem Oil Space Heater, Models GB-811, GB-815, GB-1011, GB-1015 and GB-1315.	56-37-SA
Loneragan Automatic Hot Water Heater.....	179-35-SA	Samco Oil Space Heater, Models 1108 and 1110	73-37-SA
Loneragan Oil Burning Heater, Models F-2, F-3, C-4, R-1 and R-2.....	263-34-SA	Sears Roebuck Oil Burning Water Heater, Hercules Model No. 2544.....	303-36-SA
Loyalty Range Burner	302-34-SA	Serv-Well Range Oil Burner, Models 27B and 27T	165-35-SA
Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA	Serv-Well Space Heater, Models 247T and 248	166-35-SA
M.W. Bake Oven Range Burner, Model 448 and M.W. Core Oven Range Burner, Model 450	367-34-SA	Serv-Well Water Heater, Models 255A and 255B	167-35-SA
M.W. Circulating and Radiant Heaters, Models 501, 601, 701 and 801.....	366-34-SA	Silent Glow Range Oil Burner.....	172-34-SA
M.W. Oil Burning Range, Commercial Models 152 and 251 and Domestic Models 101-G and 126-B	364-34-SA	Silent Glow Si-Glo-Lo Oil Space Heater, Models 15, 35, 60 and 80.....	24-37-SA
Majestic Range Oil Burner, Models 27B and 27T	180-35-SA	Silent Heat Oil Burner for Ranges and Stoves	592-32-SA
Majestic Space Heater, Models 247T and 248.	181-35-SA	Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	196-34-SA
Majestic Water Heater, Models 255A and 255B	182-35-SA	Speedy Hot Oil Space Heater, Models GB-811, GB-815, GB-1011, GB-1015 and GB-1315	56-37-SA
Matchless Self-Lighting Range Oil Burner...	410-37-SA	Superfex Oil Burning Heater, Models 1031, 1032, 1035, 1036, 1107, 1108, 1109, 1110, 1117, 1118, 1119 and 1120 and Superfex Heat Projector, Models 1051, 1052, 1053 and 1054	491-31-SA
Moderne Range Oil Burner, Models Regular, Junior and Firenew	357-34-SA	Toridheet Range Water Heater, Models 222, 232 and 242.....	65-35-SA
National Range Oil Burner	361-34-SA	Tower Range Oil Burner	126-33-SA
Nesco Circulating Heater, Models 041, 41, 042 and 42	264-36-SA	Vap-R-Oil Oil Burner for Ranges and Stoves	592-32-SA
No-Wyck-Koaless Range and Stove Oil Burner	251-34-SA	Victor Circulating Fuel Oil Heater, Models VCH-27, VCH-19 and VCH-17.....	243-36-SA
Norge Space Heater, Models 75, 50, 37 and 37-R	366-34-SA	Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275	329-34-SA
Octo Range Oil Burner.....	410-37-SA	Viking Pot Type Space Heater, Models 120, 165 and 170	310-35-SA
Odin Beauty (Space Heater), Models 61, 62, 91 and 92	233-35-SA	Viking Range Oil Burner and Range Oil Burn- ing Heater, Models 20, 30, 60, 65, 70 and 80	333-34-SA
Odin Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92.....	224-36-SA	Viking Range Water Heater, Models 222, 232 and 242	65-35-SA
Orlando Range Oil Burner, Models VJ-275, VJ-195 and VO-275.....	329-34-SA	Vitro-Heat Range Oil Burner, Model MD, sizes KR, KRF, KRF-1 and 1-R.....	355-34-SA
Plymouth Oil Burning Space Heater, Models 18, 20, 28 and 30.....	923-38-SA	Washington Oil Burning Space Heater, Mod- els 3712, 3724, 3736, 3747 and 3758.....	923-38-SA
Preway Circulating and Radiating Type Oil Burning Space Heater, Models 906P, 907P, 300P, 918P, 920P, 930P and 933P...	493-38-SA		
Putnam Range Oil Burner	54-35-SA		

APPROVED GAS HEATERS

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Arco Ace Conversion Gas Burner.....	588-39-SA	Estate Flue Connected In-A-Floor Gas Heat- rolas, Nos. 75, 45, 30 and 20.....	973-39-SA
Bryant Unit Garage Heater, Models 1-AG-85- C, 2-AG-85-C and 3-AG-85-C.....	292-38-SA	Humphrey Gas Unit Heater, Models 60, 65, 85, 100, 125 and 200.....	679-38-SA
Bryant Vertical Forced Air Heater, Model 8, Type VB (Gas Fired).....	443-38-SA	Janitrol Gas Unit Heater, Models UG45-37, UG60-37, UG85-37, UG100-37, UG125-37, UG160-37, UG200-37, UG400, CG45-37, CG60-37, CG85-37, CG100-37, CG125-37, CG160-37, CG200-37, CG400, M 2000, M 3000, M 4000, D 4000, UG60-35, UG125-35, UG200-35, CG10-34 and CG8-34.....	683-38-SA
Carrier Direct Fired Gas Burner Unit, Model 58C3	201-39-SA	Richmond Gas Fired Air Conditioner.....	655-39-SA
Empire Ideal Gas Fired Boiler, Model O-G...	553-39-SA	Richmond Heatomat Gas Heating Boiler.....	654-39-SA
Empire Ideal Gas Fired Boiler, Model 1-GA, for Hot Water Systems.....	554-39-SA		
Empire Ideal Gas Fired Boiler, Model 4-GA, for Hot Water Systems.....	556-39-SA		

APPROVED APPLIANCES

Burners for Industrial Use

Name of Burner	Calendar No.	Name of Burner	Calendar No.
Ace Rotary Oil Burner.....	47-35-SA	Faber Industrial Fuel Oil Burner, Types B and M	372-38-SA
Air-Blast Oil Burner.....	579-32-SA	Fess Turbine Burner, Airoil Fan and Pump Set	26-22-SA
Airnoil Burner	175-37-SA	Fine-Glo Oil Burner.....	178-35-SA
Airtemp Oil Burner, Models D, F and G....	88-34-SA	Fisher Oil Burner, Model M.....	182-38-SA
Aldrich Sav-Haf Oil Burner, Models 35F5SP, 35F5LP, 35F5XP and 35J5.....	514-39-SA	Fitzgibbons Oil Burner, Model M.....	172-37-SA
Alpine Oil Burner, Models A and H.....	110-36-SA	Forsdraft Oil Burner.....	41-34-SA
Anthony Nebulyte Oil Burner.....	1026-22-SA	Frankfort Type P Oil Burner.....	1046-23-SA
Arcoflame Oil Burner, Models A and B.....	426-38-SA	Friar Oil Burner, Models R-15 and R-35.....	21-36-SA
Aristocrat Oil Burner	222-35-SA	Gem Fuel Oil Burner.....	111-26-SA
Associated Oil Burner.....	178-35-SA	General Electric Fuel Oil Burner, Model D-1	434-32-SA
Auto Heat Oil Burner.....	284-33-SA	General Electric Oil Burner, Type DA-2.....	228-33-SA
Automatic Airless Oil Burner, Model No. 1..	53-34-SA	Ghapco Steam Generator.....	348-31-SA
Babcock & Wilcox Mechanical Oil Burner...	45-21-SA	Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH....	1493-22-SA
Ballard Automatic Oil Burner.....	1363-23-SA	Gilbarco Industrial Burner.....	350-32-SA
Ballard Oil Burner, Models B-A 1, 2, 3 and 4.	447-32-SA	Gilbert & Barker Fuel Oil Burner.....	1636-21-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA	Gold Star Oil Burner, Models F and S.....	166-33-SA
Ballard Jr. Oil Burner.....	1176-27-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner.....	1414-22-SA	Gould Automatic Oil Burner.....	178-35-SA
Bauer Oil Burner.....	129-37-SA	Grant Oil Burner, Model "C".....	232-32-SA
Berggren Oil Burner.....	764-26-SA	GRD Fuel Oil Atomizer.....	128-27-SA
Best Calorex Burner.....	1464-21-SA	Greenawalt Down Draft Combustion Oil Burning Furnace	85-35-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Hammond Oil Burner.....	72-31-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA	Harris Fuel Oil Burner.....	690-30-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Hart Oil Burner, Model "H".....	221-33-SA
Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA	Hauck Venturi Low Pressure Oil Burner....	88-27-SA
Borden Oil Burner, Model B.....	29-37-SA	Hayward Oil Burner (Vertical Rotary), Models AG, BG, CG, DG, AP, BP, CP and DP	696-30-SA
Brighton Oil Burner.....	372-33-SA	Hayward Oil Burner, Model 2000.....	118-35-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA	Heat Master Oil Burner.....	56-39-SA
Burnwell Mechanical Burner.....	957-22-SA	Heat-O-Matic Oil Burner.....	178-35-SA
Caloroil Burner, Type AA.....	1361-24-SA	Herco Oil Burner, Models R15, R35 F, P15, P35, P50, J5, J10, S20 and S40.....	21-36-SA
Caloroil Horizontal Rotary Oil Burner, Models 1, 2, 3, 4, 5 and 6.....	327-31-SA	Hobeco Oil Burner.....	1278-21-SA
Carter Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Holby Oil Burner.....	328-27-SA
Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Holby Type B Fuel Oil Burner.....	689-29-SA
Century pressing Machine Oil Burner, Models U1 and U2	25-37-SA	Holland Gun Type Oil Burner.....	225-37-SA
Chalmers-Ace (Rotary) Oil Burner.....	47-35-SA	Home Utility Oil Burner, Models A and H..	110-36-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA	Hupp Oil Burner, Models H, U, P and PP..	10-34-SA
Clark Horizontal Rotary Oil Burner.....	618-37-SA	Ideal Arco Variflame Oil Burner.....	837-38-SA
Coen Mechanical Oil Burner.....	942-21-SA	Indiana Oil Burner, Models AG, AGH, AP and APH	503-37-SA
Concord Burner	108-35-SA	Induslo Fuel Oil Burner 1-27.....	5-24-SA
Cornell No. 1 Type A Oil Burner.....	397-23-SA	Kelvinator Oil Burner, Models K, 0256-A, 0256-B, 0256-C, 0456, 0836, NK30-A, NK30-B, NK30-C, NK30-D, NK45 and NK83	105-34-SA
Craftsman Oil Burner	222-35-SA	Keystone Oil Burner, Models LP and WP..	438-38-SA
Crater Automatic Oil Burner.....	34-34-SA	Kingsway Century Oil Burner, Models F and G	369-33-SA
Dahl Mechanical Fuel Oil Burner.....	13-21-SA	Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
D'Elia Oil Burner	155-31-SA	Korth Oil Burner, Models G and S.....	136-34-SA
Delco Heat Oil Burner, Models DX, D12, D34, D44, DR, DRO, DR-1, DRF, DF2 and DLM	800-38-SA	Kreager Oil Burner.....	367-30-SA
Demand Oil Burner	108-34-SA	Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1.....	354-34-SA
Demand Oil Burner, Model A (for Pressing Machines)	841-39-SA	Laco Oil Burner, Models F, JF, BF and D...	226-33-SA
DeWalt Oil Burner.....	541-31-SA	Leader Bake Oven Oil Burner.....	384-36-SA
Doe Oil Burner.....	317-31-SA	Leiman Brothers Fuel Oil Burner.....	314-30-SA
Draft-Rite Oil Burner	178-35-SA	Lennox Oil Burner, Series LE-1, LE-2 and LE-3	565-38-SA
Electrol Industrial and Range Oil Burner, Model LF	575-39-SA	Liberty Automatic Heater.....	129-28-SA
Empire Oil Burner	222-35-SA	Liberty Pressure Oil Burner.....	75-34-SA
Enco Type 400 Steam Atomizing Oil Burner.	1414-23-SA		
Enco Mechanical Oil Burner.....	509-30-SA		
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA		
Enterprise Steam Atomizing Burner.....	15-33-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Leintz Oil Burner.....	155-20-SA	Quinn Oil Burning Equipment.....	367-21-SA
Lonergan Automatic Oil Burner.....	208-33-SA	Rasol Oil Burner.....	108-34-SA
Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA	Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Magna Fuel Oil Burner.....	197-33-SA	Rexoil Domestic and Industrial Fuel Oil	
Mahrvel Low Pressure Burner.....	859-26-SA	Burner	667-28-SA
Major Oil Burner, Models H, U, P and PP..	10-34-SA	Reynolds Oil Burner, Model GC.....	266-34-SA
Master Fuel Oil Burner.....	350-32-SA	Rockwell Fuel Oil Burner.....	341-21-SA
Maxon Oil Burner (New Style).....	1026-22-SA	Rohr Schanck Fuel Oil Burner.....	583-21-SA
May Oil Burner, Models L, C and S.....	68-24-SA	S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA
May Oil Burner, Models BB, B, NSJ, F,		S. & K. Wide Range Fuel Oil Burner.....	10-33-SA
NSJ1, W, SMT, LCT and DU.....	46-34-SA	S. K. Oil Burner, Models F and G.....	369-33-SA
Mercuriol Oil Burner, Models 4X, 5X, 6X and		S. T. Johnson Co., Type 30-A, Rotary Fuel	
10X	117-34-SA	Oil Burner	197-32-SA
Metered Heat Oil Burner, Model G.....	136-34-SA	S. T. Johnson Co., Type 30-H, Rotary Fuel	
Micron Oil Burner.....	345-34-SA	Oil Burner	198-32-SA
Midget Oil Burner.....	155-34-SA	Shur-Heat Oil Burner, Models R-15 and R-35	21-36-SA
Midget Pressing Machine Oil Burner.....	122-35-SA	Silent Glow Mid-West Oil Burner for Press-	
Mid-West Oil Burner, Models 106, 108, 208,		ing Machines, Model 106	328-37-SA
211, 311 and 114.....	327-31-SA	Silent Glow Oil Burner for Pressing Ma-	
Minneapolis Automatic Oil Burner.....	34-34-SA	chines, Models 600 and 800	327-37-SA
Mohawk Oil Burner, Models A and H.....	110-36-SA	Silent Flame Oil Burner, Model M.....	172-37-SA
Monarch Industrial Oil Burner.....	133-35-SA	Silent Paramount Oil Burner, Models F and G	369-33-SA
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Morrissey Oil Burner, Models MA-2, MA-3,		Types H, H.E.G. and H.E.G.-H.....	367-36-SA
MA-4, SP-1, SP-2, SP-3 and MP-1.....	359-33-SA	Simplex Turbine Fuel Oil Burner, Models	
Morse Conical Type Steam Atomizing Burner	938-25-SA	C.O.G. and M.O.G.	1203-22-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA	Standardyne Oil Burner.....	34-34-SA
Morse Fuel Oil Burner.....	820-23-SA	Steam Oil Burner.....	183-22-SA
Nabco Oil Burner	287-37-SA	Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
National Airoil High Pressure Burner.....	185-29-SA	Stewart Gasifier Oil Burner.....	146-35-SA
National Airoil Low Pressure Burner.....	186-29-SA	Sun Heat Oil Burner.....	603-29-SA
National Airoil Type D-R Rotary Oil Burner	548-31-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
National Devices Oil Burner.....	184-36-SA	Sunway Oil Burner.....	624-30-SA
National Heat and Power Co., Inc., Oil Burner	788-38-SA	Superior Oil Burner, Models A and H.....	110-36-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA	Supreme Oil Burner, Model G.....	136-34-SA
Nichols-McCann-Harrison Burners.....	255-31-SA	Surface Combustion Low Pressure Burner...	92-23-SA
Norge Oil Burner, Models N8-8C and N13-8C	543-37-SA	Syncro-Flame Oil Burner, Model R.....	139-35-SA
North American Low Pressure Oil Burner...	792-26-SA		
Nu-Vapomatic Oil Burner (for Pressing Ma-			
chines)	708-39-SA		
Oil Aire-Flo Burner Unit, Series H.....	564-38-SA		
Oilbilt Burner	85-33-SA		
Orco Oil Burner, Model A-1.....	216-36-SA		
Oronoque Oil Burner.....	394-30-SA		
PDM Low Pressure Oil Burner.....	205-38-SA		
Packard Fuel Oil Burner.....	77-34-SA		
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Paramount Oil Burner, Model A.....	617-30-SA		
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Penn Automatic Oil Burner, Gun Type.....	250-37-SA		
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Perfex Airnoil Burner	175-37-SA		
Petro Mechanical Burner and Air Register..	735-24-SA		
Petro Model W Oil Burner.....	452-31-SA		
Petro Oil Burner, Models D-10, D-11, D-12,			
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Burner, Model W-AH	614-32-SA		
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Progressive Press Machine Oil Burner,			
Models PMB and PMBS.....	224-34-SA		
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R-35	21-36-SA		
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Quiet Ballard Automatic Oil Burner.....	660-30-SA		
Quiet Heet Oil Burner.....	49-36-SA		
Quiet May Oil Burner, Models L, C and S ..	68-24-SA		
Quiet May Oil Burner, Models BB, B, NSJ,			
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Quigley No. 10 Low Pressure Oil Burner....	436-31-SA		
		Tate-Jones Fuel Oil Burner, "L" Type.....	1254-24-SA
		Tate-Jones No. 6 Oil Burner.....	1444-23-SA
		Thompson-Gould Oil Burner	178-35-SA
		Timken Rotary Oil Burner.....	297-29-SA
		Timken Silent Automatic Oil Burner, Model G	266-34-SA
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		Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA
		Todd Rotary Burner, Models A, B and C....	454-25-SA
		Todd Rotary Burner and Pump, Types P.A.H.	
		and P.A., and Models A, B, C, C-1 and D	281-37-SA
		Todd Spiro Oil Burner.....	470-31-SA
		Todd Spiro Burner (pump type).....	94-32-SA
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		United States Gun-type Oil Burner.....	222-35-SA
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		Yorktown Oil Burner, Model A.....	3-35-SA

RULES

FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair tread, constructed of bars at least one-half ($\frac{1}{2}$) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half ($1\frac{1}{2}$) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under Section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect,

unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fire escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways, serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible, no sprinkler	Contents combustible, and sprinkler	Contents non-combustible and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which is more than 50 per cent above the floor below and the floor next above the curb or average grade level.

Where the stairways extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of the roof.

Where the stairway is required to extend to the roof, the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvres or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

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The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire-resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.

Volatile inflammable oils, 1 gallon.

Volatile inflammable mixtures, 5 gallons.

Combustible mixtures, 10 gallons.

Paints, varnishes and lacquers, 10 gallons.

Upholstering or mattresses, manufacturing or repairing.

Cotton, rag and paper sorting, 1 ton.

Paper box manufacturing.

Restaurants and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupancies as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

1. Required Exits.—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill is more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof, except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways.—In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in Rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system, in which case such enclosure of stairways shall not be required. Such enclosures shall lead directly to a door opening out-

wardly to a street or road, or an open area affording unobstructed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover.

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

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In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law or

rules of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways.—Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly pointed, exits thereto and all platforms and passageways thereof shall be maintained unobstructed, and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these substandard exits.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

THE LIBRARY OF THE

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to August 8, 1939

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
1021-39-A....	H.B.Bx.....	2948-2954 Third avenue, east side, 149.32 ft. north of East 152nd street and 639-647 Bergen avenue (Block No. 2362, Lot Nos. 44-47 and 65-68), Borough of The Bronx. Alt. 308-37.
1022-39-BZ....	H.B.Q.....	47-13 to 47-21 Kissena boulevard and 140-01 to 140-07 Mulberry court, northeast corner (Block No. 5216, Lot No. 41), Flushing, Borough of Queens. N.B. 5354-39.
1023-39-A....	H.B.Q.....	42-12 to 42-24 Vernon boulevard, north side, 90.28 ft. east of 43rd avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens. Misc. Applic. 3715-39.
1024-39-A.....	F.D.....	156 Perry street, south side, 60 ft. west of Washington street (Block No. 637, Lot No. 21), Borough of Manhattan. 18412-C.
1025-39-BZ....	H.B.R.....	2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond. N.B. 148-39.
1026-39-A.....	F.D.....	246 Frost street, south side, 100 ft. west of Kingsland avenue (Block No. 2866, Lot No. 32), Borough of Brooklyn. 2377-L.F. and Decision.
1027-39-A-WF.	H.B.Q....	134-37 to 134-39 Northern boulevard, northwest corner of Prince street (Block No. 4946, Lot No. 68), Flushing, Borough of Queens. Misc. Applic. 4673-39.
1028-39-A....	H.B.R.....	147 Cassidy place, north side, 164.42 ft. east of Clinton avenue (Block No. 71, Lot No. 28), New Brighton, Borough of Richmond. B.N. 490-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

		Last Publication in Bulletin
Carbon Dioxide Liquefier Rules.....	June	20, 1939—Vol. 24, No. 25
Certificate of Occupancy, approved form.....	Aug.	23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules.....	July	13, 1937—Vol. 22, No. 23
Concrete Rules (Hydrated Lime).....	Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules.....	Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....	June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....	Aug.	8, 1939—Vol. 24, No. 32
Fire Alarm Rules (Interior).....	Apr.	25, 1939—Vol. 24, No. 17
Fire Drill Rules.....	June	27, 1939—Vol. 24, No. 26
Fire Retarding Rules for Garages, etc.....	July	11, 1939—Vol. 24, No. 28
Fireproof Wood, Testing of.....	Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....	Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules.....	Aug.	15, 1939—Vol. 24, No. 33
Gas Shut-Off Rules.....	Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection.....	June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules.....	Aug.	15, 1939—Vol. 24, No. 33
Oil Burner Rules.....	Aug.	8, 1939—Vol. 24, No. 32
Paint, Varnish and Lacquer Spraying Rules.....	July	11, 1939—Vol. 24, No. 28
Platform Trucks, Specifications for.....	Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules.....	Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Prevention of Contamination of Water Supply).....	Aug.	1, 1939—Vol. 24, No. 31
Procedure, Rules of.....	Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.....	July	4, 1939—Vol. 24, No. 27
Smoking in Factories, Rules for.....	Aug.	8, 1939—Vol. 24, No. 32
Sprinkler Rules.....	June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....	June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.....	June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....	Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....	Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code).....	Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves.....	Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....	Aug.	15, 1939—Vol. 24, No. 33
Fuel Oil Burners for Domestic and Commercial Use.....	Aug.	8, 1939—Vol. 24, No. 32
Fuel Oil Fill Pipe Terminals.....	Aug.	15, 1939—Vol. 24, No. 33
Fuel Oil Burners for Industrial Use.....	Aug.	8, 1939—Vol. 24, No. 32
Fuel Oil Pumps.....	Aug.	8, 1939—Vol. 24, No. 32
Gas Heaters.....	Aug.	8, 1939—Vol. 24, No. 32
Paint, Varnish and Lacquer Spraying Equipment.....	July	11, 1939—Vol. 24, No. 28
Range Oil Burners and Space Heaters.....	Aug.	8, 1939—Vol. 24, No. 32
Vacuum Breakers.....	Aug.	1, 1939—Vol. 24, No. 31

ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 12, 1939, at 10 a.m.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

RULES FOR FUSION WELDING AND GAS CUTTING.

RULES COVERING THE SPECIFICATIONS FOR DESIGN, FABRICATION AND INSPECTION OF FUSION WELDED STRUCTURES AND THE QUALIFICATIONS OF WELDERS AND SUPERVISORS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 25, 1938.
EFFECTIVE MARCH 21, 1938.

[Cal. No. 1-38-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and C26-514.0 of the Administrative Code (8.6.2.2).

SCOPE.

These rules are supplementary and additional to the requirements for Fusion Welding as permitted under C26-514.0 of the Administrative Code (8.6.2.2) reading:

Fusion welding may be substituted for, or used in combination with, riveting or bolting to connect or assemble the component parts of steel beams, girders, lintels, trusses, columns and other structural steel used in building construction if done under rigid inspection and specification, in accordance with the rules of the Board. These Rules shall also apply to gas cutting.

NOTE: Where a reference in parenthesis appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Rule 1. Application For Permits.

- 1.1 No person shall perform gas or electric welding on structures or parts thereof erected or to be erected within the City of New York except as provided in these Rules and in conformity with C26-211.0 of the Administrative Code (2.3.2).
- 1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the superintendent. The superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

Rule 2. Definitions.

- 2.1 ARC WELDING. A fusion welding process wherein the welding heat is obtained from electric arc formed between the base metal and metal electrode.
- 2.2 BASE METAL. The metal upon which the weld or cut is made.
- 2.3 BUTT WELD. A butt weld is a weld whose throat lies in a plane disposed approximately 90 degrees with respect to the surfaces of at least one of the parts joined. The size of a butt weld shall be expressed in terms of its net or unreinforced throat dimension in inches. C26-158.0 of the Administrative Code (1.149).
- 2.4 CONTINUOUS WELD. A weld which is uninterrupted throughout the length of the joint.
- 2.5 CRATER. An unfilled concave depression in the fusion area of an arc weld resulting from penetration of the welding arc into the metal thereunder.
- 2.6 FILLER METAL. Metal especially prepared for addition to the weld. This term shall apply to this material only before deposition.
- 2.7 FILLET WELD. A fillet weld is a weld of approximately triangular cross section, whose throat lies in a plane disposed (inclined) approximately 45 degrees with respect to the surfaces of the parts joined. The size of a fillet weld shall be expressed in terms of the width in inches of its adjacent fused sides. C26-158.0 of the Administrative Code (1.149).
- 2.8 FLAT WELD. A weld made by the fusion welding process on a horizontal plane or one inclined not over 45 degrees to the horizontal, the weld being made from the upper side of the parts joined.
- 2.9 FUSION WELDING. Fusion welding is the process of joining metal parts in the molten, or molten and vapor states, without the application of mechanical pressure or blows. Under these rules fusion welding is restricted to arc and gas welding processes. C26-75.0 of the Administrative Code (1.67).
- 2.10 GAS CUTTING. Gas cutting is the process of severing ferrous metals by means of the chemical behavior of oxygen, in the presence of ferrous metals at high temperatures, to produce a kerf, or cut, of uniform width without burning the edges of the kerf or cut. C26-77.0 of the Administrative Code (1.69).
- 2.11 GAS WELDING. A fusion welding process in which the heat of welding is supplied by the combustion of oxygen and acetylene or other fuel gas in a suitable torch. Filler metal may be melted from a welding rod. Under these rules, gas welding is restricted to the oxy-acetylene process wherein filler metal is added.
- 2.12 HORIZONTAL WELD. A weld made by the fusion welding process on a plane vertical or inclined less than 45 degrees with the vertical, the linear direction of the weld being horizontal or inclined not more than 45 degrees to the horizontal.
- 2.13 LAYER. A stratum of weld metal of a fusion weld and consisting of one or more interwoven beads.
- 2.14 OVERHEAD WELD. A weld made by the fusion welding process on a horizontal plane or one inclined not over 45 degrees to the horizontal, the weld being made from the underside of the parts joined.
- 2.15 OVERLAP. A condition of lack of fusion where the deposited metal has overflowed the fused area of metal.
- 2.16 PENETRATION. The linear distance that the deposited metal penetrates below the original surface of the base metal.
- 2.17 ROOT. A root is the zone at the bottom of the cross-sectional space provided to contain a fusion weld. C26-312. (CL) of the Administrative Code (1.122).
- 2.18 SLOT WELD. A weld made in an enclosed or partially enclosed opening formed in one of the parts of a lap joint.
- 2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the Superintendent of Housing and Buildings of the borough having jurisdiction.
- 2.20 TACK WELD. A weld of random size or shape intended only to fix a member or part thereof of a structure, in correct position preparatory to final welding, and shall not be considered to transmit stress.

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- 2.21 **THROAT.** The minimum thickness of a weld along a straight line passing through the root. Throat of a fillet weld is the distance along a line from the root to the hypotenuse at right angles thereto, of the largest isosceles triangle which can be constructed in the cross section of the fillet weld. The throat of a butt weld shall be equal to the thickness of the thinner part joined. C26-53.0 of the Administrative Code (1.144).
- 2.22 **UNDERCUT.** A condition wherein the base and weld metal is melted away leaving a depression, the surface of which lies below the designed surface contour of the joint.
- 2.23 **VERTICAL WELD.** A weld made by the fusion welding process on a plane vertical or inclined less than 45 degrees with the vertical, the linear direction of the weld being vertical or inclined not more than 45 degrees to the vertical.
- 2.24 **WELD DIMENSIONS.** The dimensions of a weld shall be expressed in terms of its size and length. C26-158.0 of the Administrative Code (1.149).
- 2.25 **WELD LENGTH.** Shall be considered to be the unbroken length of the full cross-section of the weld exclusive of the length of any craters. C26-158.0 of the Administrative Code (1.149).

Rule 3. Design and Supervision.

- 3.1 The licensed architect or licensed professional engineer designing or supervising the construction of a welded structure shall be experienced and skilled in such work. C26-515.0 (c) (8.6.2.3.3).

3.2 PERMISSIBLE UNIT STRESSES.

In the design of welded structures or parts thereof the stress at every connection must be accurately calculated and the required amount and the exact type and location of weld and filler metal with respect to the parts joined be specified.

- 3.2.1 Welded joints shall be so proportioned that the maximum stresses shall be less than the following amounts in pounds per square inch:
- | | |
|--|--------|
| Shear on section through the throat of a weld | 11,300 |
| Tension on section through the throat of a weld | 13,000 |
| Compression on section through the throat of a weld..... | 15,000 |

Maximum fiber stresses due to bending shall not exceed the maximum values allowed above for tension and compression respectively. C26-368.0b (6) of the Administrative Code (7.4.5.6).

- 3.2.2 Stress on a fillet weld shall be considered as shear for any direction of the applied stress.
- 3.2.3 Adequate provision shall be made for bending stresses due to eccentricity in the disposition or section of base metal parts.

- 3.2.4 The allowable compressive strength mentioned in these Rules is not intended to prevent butt welds being used across the entire section to transmit the total compressive stress in compressive flanges of beams, girders, truss plates or compression blocks or other members protected against lateral deflection even though such stress exceeds 15,000 lbs. per sq. in., but not exceeding the maximum allowable compressive stress in the parts joined.

3.3 WORKING STRESSES FOR WINDLOADS.

When the stress in any member due to wind is less than $33\frac{1}{3}\%$ of the stress due to live and dead loads, it may be neglected. For combined stresses due to wind and other loads, the permissible working stresses may be increased $33\frac{1}{3}\%$, provided the section thus found is at least that required by the dead

and live loads alone. For stresses due to wind only, the permissible working stress shall be the same as for live and dead loads. C26-372.0, 373.0 and 374.0 of the Administrative Code (7.4.8).

- 3.4 **WELDED GIRDERS.** In welded girders the connection of component parts of flanges to each other and of flanges to webs shall be by continuous or intermittent fillet welds designed to transmit the stress. C26-520.0 (d) of the Administrative Code (8.6.2.8.4).
- 3.5 Girders shall be proportioned either by their moments of inertia or by the flange-area method; in the latter method, when applied to a welded girder having no holes in the web, $1/6$ of the web area may be considered a part of the area of each flange. Stiffeners may be either angles or flat plates, welded to the web and flanges by welds designed to transmit the stresses.
- 3.6 **BEAMS.** The use of continuous beams and girders, shall be permitted provided their welded connections be designed to transmit the stresses involved in continuous beam construction and columns are designed for the moment added by such construction. At the ends of non-continuous beams, the connections shall be designed to avoid excessive secondary stresses due to bending.
- 3.7 **WELDED COLUMNS.** C26-520.0 (e) of the Administrative Code (8.6.2.8.5). Fillet welds connecting the component parts of a built-up column may be either continuous or intermittent. If intermittent, the length of each weld at the ends of the column shall be equal to the least width of the column. The length of the intervening welds shall be at least one and one-half inches, spaced at most four inches in the clear. The size, length and spacing of the fillet welds shall be such as to provide the same strength, per unit of column length, as the allowable shearing stresses in structural steel for power driven rivets. Lattice bars and tie plates shall be welded so as to obtain strength equal to that specified in C26-368.0b (6) of the Administrative Code (7.4.5.4). Shearing stresses.
- 3.7.1 Where column splices are welded, welds must be provided equal in strength to the shear of the standard column splice.
- 3.8 **WELDED BUTT JOINTS.** The edges of base metal parts, one-quarter inch or more in thickness, transmitting stress by means of butt welds shall be beveled. For single and double "V" joints, the bevel of each part shall be at least 30 degrees. For single and double bevel joints, the bevel shall be at least 45 degrees.
- Before welding, the root edge or face of one part shall be separated from the root edge or face of the other part by not less than $1/16$ inch nor more than $1/4$ inch.
- Butt welds shall be reinforced by depositing additional metal on the weld to a height extending beyond the surface of the thinnest part joined. The height of such reinforcement shall be at least the following percentages of the thickness of the thinnest part joined: 20 percent for single "V" and single bevel butt welds, and $12\frac{1}{2}$ percent on each side, for double "V" and double bevel butt welds. C26-520.0(f) of the Administrative Code (8.6.2.8.6).
- 3.9 **FILLET WELDS.** The length of any fillet weld shall be made not less than four times the weld size or else the size of the weld shall be considered not to exceed $1/4$ of the length for purposes of calculating strength under these rules.
- 3.10 **WELDS IN SLOTS OR HOLES.** When welding inside a slot or hole in a plate or other part, in order to join same to an underlying part, fillet welding may be used along the wall or walls of the

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slot or hole, but the latter shall not be filled with weld metal or partially filled in such manner as to form a direct weld-metal connection between opposite walls, except that fillet welds along opposite walls may overlap each other for a distance of one-fourth of their size. No slot or hole shall be less in width or diameter than $1\frac{1}{2}$ times its depth.

3.11 FIELD RIVETED, BOLTED AND WELDED CONNECTIONS. C26-521.0 of the Administrative Code (8.6.2.9).

3.11.1 In tier structures less than 125 feet high, in which the height is less than two and one-half times the minimum horizontal dimension, all column splices and field connections may be bolted.

3.11.2 In structures in which the height is over 100 feet and is more than two and one-half times the minimum horizontal dimension, and in structures 100 feet or less in height in which the height is more than four times the minimum horizontal dimension, column splices and connections to columns shall be riveted or welded.

3.11.3 In structures over 125 feet in height and in all structures of a special character, connections of beams and girders to columns, and beams and girders bracing columns shall be riveted or welded. Column splices in structures 200 feet or more in height shall be riveted or welded. Column splices in tier structures less than 200 feet high (except as provided in the preceding paragraph) may be bolted.

3.11.4 All other field connections may be bolted (except that, in all structures, the connections for supports for running machinery or other moving loads shall be riveted or welded).

3.11.5 Within existing structures steel work for alterations, or additions (except to the main structural framework), which do not affect existing column splices, connections and other riveted or welded work, may be bolted.

3.12 COMPLETION OF WORK.

Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the contractor who has done the welding.

Rule 4. Board of Examiners for Welders.

4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the Superintendents. All certificates of qualification issued shall be uniform for the five Boroughs. There shall be a separate certificate for gas welding and for electric arc welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.

4.2 WELDERS TO BE QUALIFIED. No person shall perform welding work on any structural member of a structure without having obtained a certificate of qualification from the Board of Examiners for Welders. C26-211.0 of the Administrative Code (2.3.2).

4.2.1 Before a certificate of qualification may be issued authorizing a person to perform welding work on any structural member of a structure, the person applying for such certificate shall have submitted to and satisfactorily passed an examination to determine his qualifications, conducted by Board of Examiners for Welders to be appointed by the Commissioner. A certificate of qualification shall be issued to each applicant having proved his qualifications and upon the payment of a fee of Two Dollars. Such certificate shall continue in effect for a period of one year unless sooner revoked or suspended and to be effective thereafter shall be renewed annually. The annual renewal fee shall be One Dollar.

4.2.2 No person shall be eligible for a certificate of qualification to perform welding work as provided in this section unless he is a citizen of the United States of America.

4.2.3 The Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.

Rule 5. Qualification Test for Welders.

5.1 These qualification tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examiners for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City may be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.2 Qualification for arc welding shall not constitute qualification for gas welding, and vice versa. Qualification for welding with bare electrodes shall not constitute qualification for welding with flux-coated electrodes, and vice versa.

5.3 The foregoing provisions are not intended to bar an applicant from further trial in case of one or more failures, or to require an operator who has passed the tests to qualify anew for every job he may undertake.

5.4 QUALIFICATION REQUIREMENTS.

5.4.1 Before issuance of a certificate of qualification by the Board of Examiners for welders the applicant shall have passed the qualification tests prescribed as follows:

5.4.2 The minimum qualification requirements shall be the welding of test specimens of the type shown in Fig. 2 and specified in Rule 5.4, each specimen to be tested for failure in a reliable tension testing machine and to develop ultimate resistance not less than 80 kips if welded with filler metal of grade 2, 4, 10 or 15; or 67 kips if welded with filler metal of grade 20, 30 or 40.

5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and if the operator is to perform overhead welding, two in the overhead welding position.

5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equal

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fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same type of electrodes or welding rods as are to be used in the work for which the operator is being tested; the diameter of electrodes or rods shall be the largest to be used in the work, for which the applicant proposes to qualify.

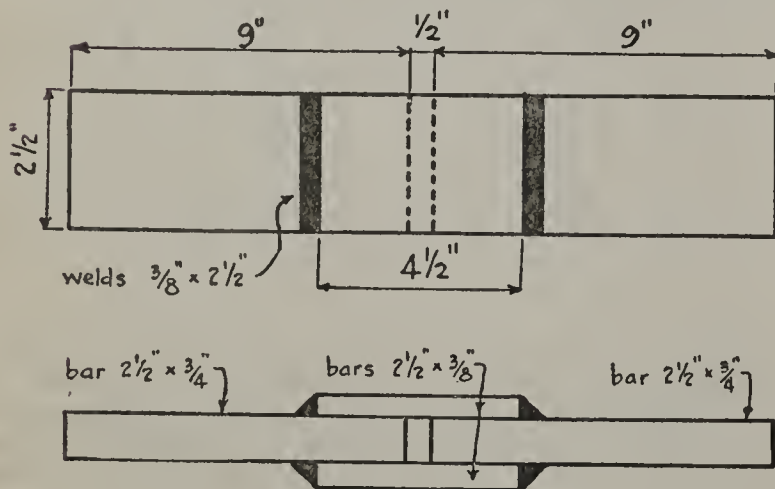


FIG. 2

Welds shall be made as nearly as possible to the designed dimensions, and in conformity with the practices set forth in Rule 6; at every cross-section the weld size in each direction shall be within 1/16 in. of the prescribed 3/8 in.

Rule 6. Quality of Welds.

The quality of welds permitted under these rules shall conform to the following requirements:

- 6.1 The Quality of Test Welds and Construction Welds shall fulfill all requirements with regard to shape and internal quality.
 - 6.1.1 All lap welds shall indicate good penetration to the root of the weld and good fusion at both sides of the bead.
 - 6.1.2 All fillet welds shall show absence of undercutting, proper shape of the bead, lack of overlaps and proper fusion.
 - 6.1.3 All butt welds shall show good fusion without overlapping or undercutting.
- 6.2 **UNDERSIZE WELDS.** Undersize or undercut welds shall be built up by welding to conform to the weld cross-section called for in the drawings and specifications. The surface of previously deposited welds shall be cleaned of oxides or slag before any reinforcing weld metal is applied.
- 6.3 **Shape.**
 - 6.3.1 Welds shall conform in shape to those shown on Figs. 3a and 4a and shall not be undersized.
 - 6.3.2 Surfaces of weld shall be reasonably smooth and uniform in contour. Weld metal along the toe of the weld shall not overlap the base metal surface but shall form an intimate contact therewith as shown in Figure 3.

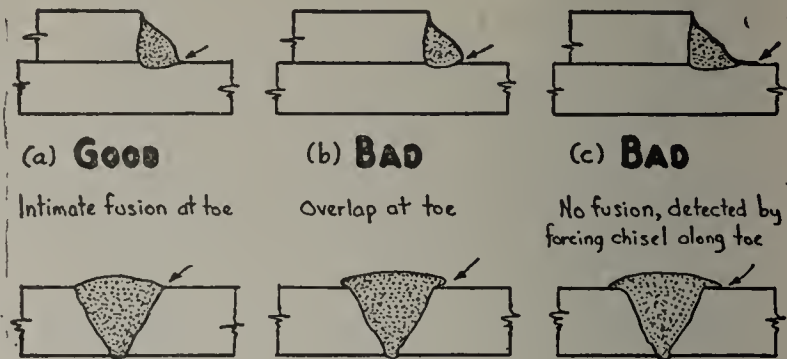


FIG. 3

6.3.3 **INTERNAL QUALITY.** The weld metal shall be sound throughout and shall be free from oxides, non-metallic inclusions and gas pockets. The weld metal shall be thoroughly fused with the base metal along all surfaces and edges of union, and shall penetrate into the root of the weld, as shown in Fig. 4a.

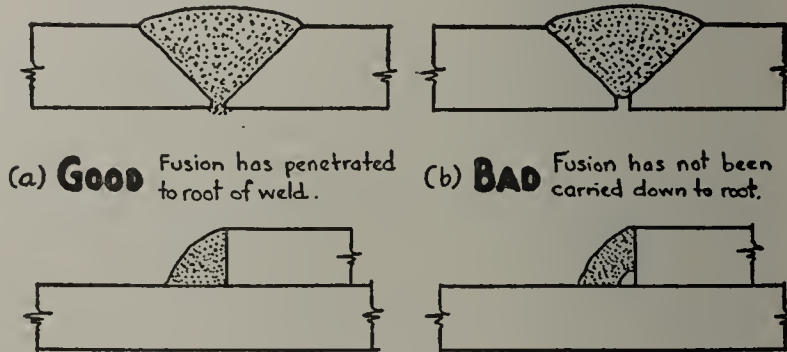


FIG. 4

6.3.4 **WELD ENDS.** The ends as well as the body of the welds shall conform to all the requirements of Rule 6.

Rule 7. Specifications and Tests of Welding Materials.

- 7.1 Structural steel shall conform to A.S.T.M. Specifications A-7-36 or A-9-36.
- 7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

- 8.1 Contractors desiring to do gas cutting shall be required to satisfy the Superintendent as to their ability to produce satisfactory gas cuts.
 - 8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.
- 8.2 Gas cutting on any member while it is carrying stress is prohibited (except for detail cutting to correct minor fabricating errors where the removal of metal resulting from such detail cutting would leave unimpaired the required strength of the members to be cut).
 - 8.2.1 Any field cutting of structural members to provide openings or to remove portions of flanges shall not be done, unless provided for in the design.

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- 8.3 Gas cut edges shall be smooth and regular in contour.
- 8.4 Gas cutting may be used in the preparation of base metal parts for welding provided the edges are thoroughly cleaned after cutting so as to expose clean steel.
- 8.5 Gas cutting to replace the milling of surfaces is prohibited.
- 8.6 Gas cutting of holes in a member designed without provision therefor is prohibited.
- 8.7 The radii of re-entrant gas cut fillets shall be as large as possible and at least one inch. To determine the net area of members so cut, one-eighth inch shall be deducted from the gas cut edges.

Rule 9. Supervision and Inspection.

- 9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspecting agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the Superintendent.
- 9.2 The agency as provided for in 9.1 shall take adequate means to assure that the preparing, gas cutting, assembling and welding of the joints of the structure conform to the design and that the resulting structure is free from deficiencies and injurious defects. He shall keep and submit daily to the licensed architect or licensed professional engineer responsible for the work adequate records of the progress of the work, of difficulties experienced, and of his decision of acceptance and rejection. His records shall allocate a definite and personal responsibility for his acceptance of every weld as to size, location, type of filler metal used and quality of workmanship, and shall evidence that no weld called for in the design has been omitted. He shall require that each welder stamp his identification symbol on his work, and the inspector after inspecting each weld shall do likewise.
 - 9.2.1 He shall inspect for defects and irregularities, plate cracks adjacent to or behind welds crater cracks or cracks in the weld metal.
 - 9.2.2 He shall gauge all welds for deficiency of throat or other critical cross-section.
 - 9.2.3 He shall carefully observe and reject undercutting, overlap or lack of fusion at edges of weld, lack of penetration, or porosity, location of craters, size and shape of bead, and order occasional chipping to determine penetration and correct all or any irregularities of workmanship contrary to the design.
- 9.3 The contractor who is to do welding shall submit to the Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:

That each welder or group of welders shall be under the continual supervision of an experienced foreman.

That only welders qualified under these rules be employed. Each welder shall exhibit, when required, his Certificate of Qualification.

That each welder shall be provided with proper gauges to check his work.

That the foreman shall be able to read blueprints and shall lay out and allocate the work each welder is to perform and he shall carefully observe the burn-off of the electrode; the fusion, and penetration of crater; the formation of the bead; and the sound of the arc.

That only the base metal and filler metal conforming to the job specifications and these rules be used.

That the welding equipment furnished shall have proper characteristics to allow good work.

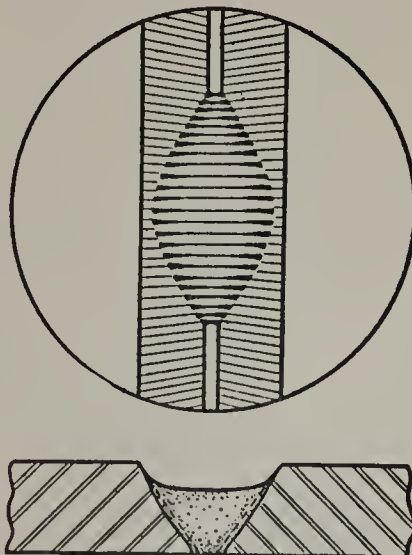
That whenever deemed necessary by the Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

- 10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.
- 10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.

The cutting or chipping of a weld shall not extend into the base metal. In removing welds, care shall be taken not to burn or otherwise injure the base metal and after melting the exposed base metal shall be cleaned by chipping and wire brushing.
- 10.3 TACK-WELDS. In making tack-welds, the same precautions should be observed as when starting welds. Where a designed weld will later be made over the tack-weld, the tack-weld shall be made with the same care as required for designed welds.

Whenever tack-welds are located where a designed weld will later be made, they shall be made according to the foregoing requirements. When encountered in the final welding operation, they shall be thoroughly fused in with the final weld. Tack-weld should be thickest at the center and should taper at both ends for convenience in carrying the regular weld over the tack-weld (see Fig. 19).



Section Through Tack-Weld

FIG. 19

- 10.4 Surfaces to be welded shall be free from mill scale, rust, paint or other foreign matter. A thin coat of

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linseed oil or its equivalent over the surfaces to be welded need not be removed. These provisions shall apply to new structures and where new steel is to be welded to steel in any existing structure.

Structural steel shall not be painted on any areas where shop or field welding is to be performed, except that a coat of linseed oil without pigment may be used for temporary protection. However, structural members which have been painted, may be welded, provided that the paint is completely removed from the areas to be welded. Parts which are welded in the shop, to be erected by bolts or rivets, shall receive the usual painting if any is required after the shop welding is finished. Parts to be field welded shall receive a coat of linseed oil after shop work is completed, and after erection and field welding, they shall be given two coats of acceptable metal protection if painting is required. C26-522.0 of the Administrative Code (8.6.2.10).

- 10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the superintendent. See 3.11.5.
- 10.6 In assembling and during yielding, the component parts of a built up member shall be held by suffi-

cient clamps, or other adequate means shall be employed for temporarily fastening the members together and bracing the framework until the joints are welded. This shall consist of erection bolts or positive devices imparting sufficient strength and stiffness to resist all temporary weights and lateral forces, including wind.

For all welded structures, erection bolts, or equivalent means shall be employed for temporarily supporting the members, and existing loads, and for insuring proper alignment.

The temporary support of girders carrying columns or other heavy loads shall be made rigid by such means as shall be designed by the licensed architect or licensed professional engineer in charge and approved by the Superintendent.

In tier building erection, members shall not be erected more than two tiers, or more than one-column length above any column connections yet unwelded.

Rule 11. Metal Chimneys and Tanks.

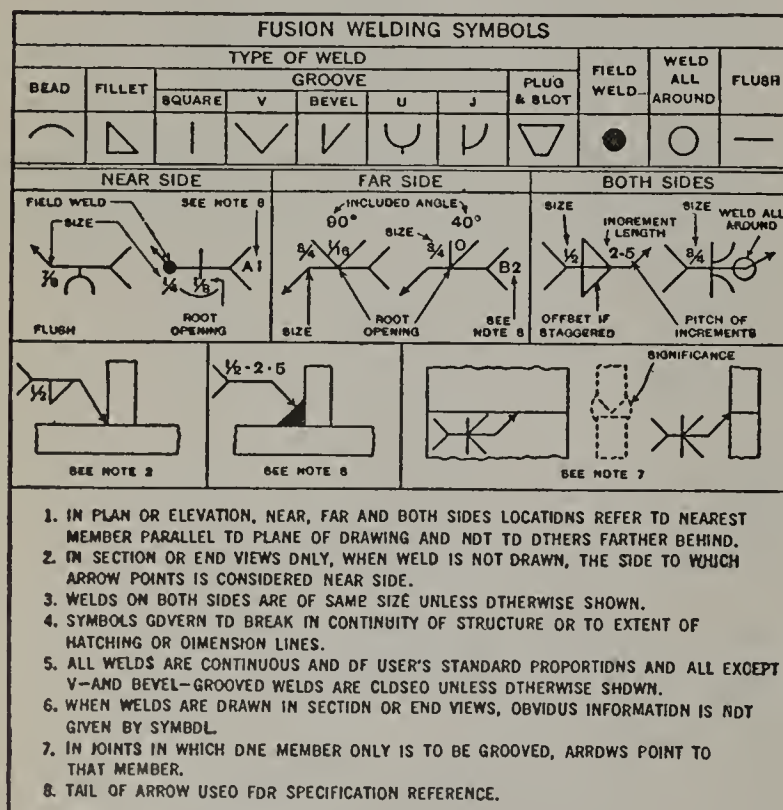
Metal Chimneys and Tanks and all materials entering into their construction, when welded, shall conform to these Rules.

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting, but is printed for general information only:

I. Weld Symbols.

To provide for uniformity when plans are filed with the superintendent symbols for fusion welding and a method of showing them on drawing shall be as shown in figure 1.



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metal test requires stress-relief signifies only that it must develop the strength required regardless of stress-relief, and not that stress-relief must always be used in actual work. Stress-relieving shall be within the range of 11 00 to 1200 F. for 1 hr. per 1 in. of thickness. Gas-welded specimens may be heat-treated at higher temperatures than the temperature specified above for stress-relief.

b It is immaterial how these high physical properties are obtained, that is, whether by carbon-steel filler metal with manganese and silicon contents or by the use of some other alloying elements, but the total amount of such other elements shall be less than 4 per cent.

CHEMICAL COMPOSITION.

The filler metal shall be capable of depositing metal conforming to the following requirements as to chemical composition:

Phosphorus, max., per cent.....	0.04
Sulfur, max., per cent.....	0.04

CHEMICAL ANALYSIS.

For arc-welding electrodes, the sample for analysis shall be prepared as follows: A specimen of standard base metal (see Table 1 below) of sufficient size, shall be prepared, and a pad of five superimposed layers of arc metal deposited thereon. The fifth or top layer shall be ground or machined away and discarded. The fourth layer shall be carefully milled off and used for the analysis specified.

For gas-welding rods, the sample for analysis may be prepared as described in preceding paragraph, except that three layers shall be considered sufficient and the top layer used for the analysis, or analysis may be made of the welding rod. In the latter case, ten rods shall be selected at random from the lot, and milled in such manner as to represent the entire cross-section.

TEST SPECIMENS.

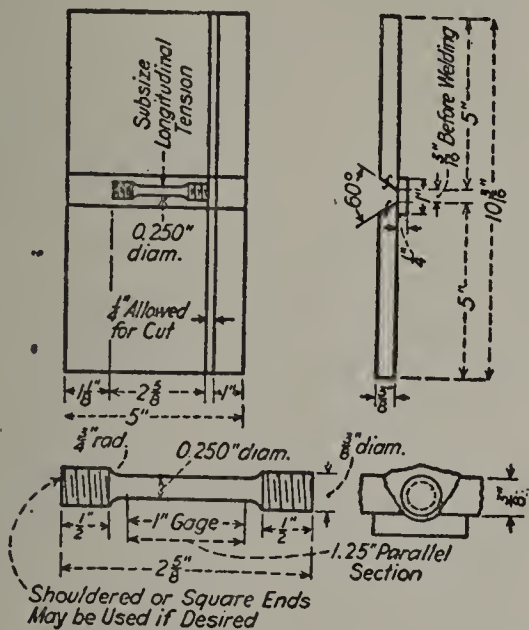
ALL WELD METAL TENSION TESTS. The deposited metal shall conform to the minimum tensile properties specified in Table 1.

SPECIMENS (Test).

From each lot of each size of filler metal, a sufficient number of electrodes or welding rods shall be selected at random and a deposited metal specimen prepared. The specimen shall be prepared in accordance with its proposed use.

For 1/16, 3/32 and 1/8 in. filler metal, a plate 3/8 in. in thickness shall be prepared as illustrated in Fig. 5 and the sub-size all-weld tension specimen prepared as shown.

For 5/32 in. and larger sizes of filler metal, a plate 3/4



- NOTE 1.—The above plate shall be used for 1/8-in. filler metal.
 NOTE 2.—Welds shall be deposited in either layers or beads.
 NOTE 3.—Welds in vertical position shall be deposited upwards.
 NOTE 4.—Electric welds shall cool to at least 100 F. between the deposition of each layer or bead.

Test Plate for 1/8-in. Diameter Filler Metal and Method of Machining Specimen.

FIG. 5

in. in thickness shall be prepared as illustrated in Fig. 6 and the tension specimen prepared as shown.

Test plates shall be so supported that warping due to welding shall not throw the finished test plate out of line by an angle of over 5 deg. If plates are warped, they shall be straightened cold before being stress-relieved where required.

SPECIAL TESTS. The Superintendent or his representative may require such additional standard tests as will properly develop the strength of the filler metal.

RETESTS. If any tension test specimen fails, additional test plates shall be prepared at the direction of the inspector.

ELECTRODES FOR MANUAL WELDING. In the case of coated or covered electrodes for manual welding, about 1 in. of the electrode shall be bare or free from coating at the one end for making contact with the holder. The arc end shall be sufficiently bare to permit easy striking of the arc, but the length of the bare portion of the arc end, measured from the end to the point where the full cross-section of the coating obtains, shall not exceed one nominal diameter.

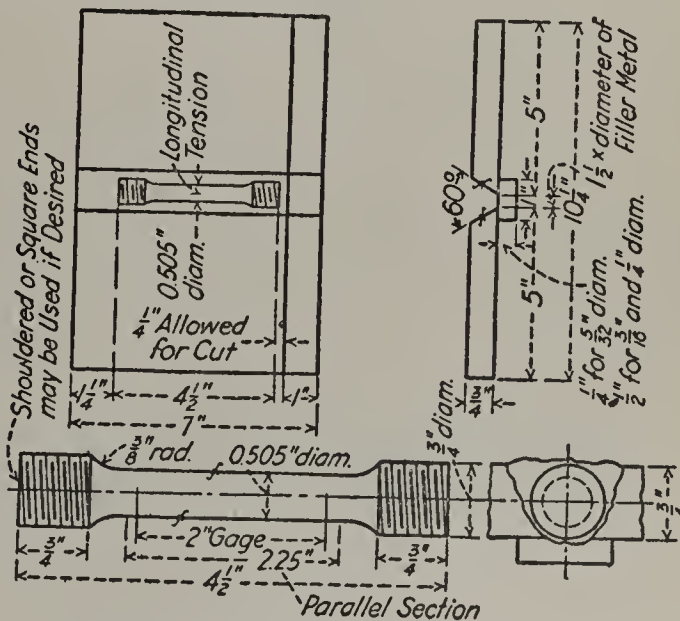
PREPARATION OF FILLER METAL.

Uncoated filler metal and the core of coated or covered filler metal shall be of uniform quality free from injurious segregation, oxides, pipe, seams or other irregularities.

On coated or covered filler metal, the coatings and coverings shall be such that they are not readily damaged by ordinary handling and shall be of commercially uniform thickness and shall present a workmanlike appearance. Coatings and coverings shall be free from injurious scabs, blisters, abnormal pockmarks, bruises or other surface defects.

The surface of gas-welding rods and bare electrodes shall be smooth and free from harmful scale, oil, or grease and shall be plain or copper finished, as specified.

Cross-sectional dimensions shall not vary from that specified by more than 3 per cent.



- NOTE 1.—The above plate shall be used for filler metal 5/32-in. in diameter and larger.
 NOTE 2.—Welds shall be deposited in either layers or beads.
 NOTE 3.—Welds in vertical position shall be deposited upwards.
 NOTE 4.—Electric welds shall cool to at least 100 F. between the deposition of each layer or bead.

Test Plate for Filler Metal 5/32-in. in Diameter and Larger and Method of Machining Specimen.

FIG. 6

REQUIREMENTS FOR ARC WELDS

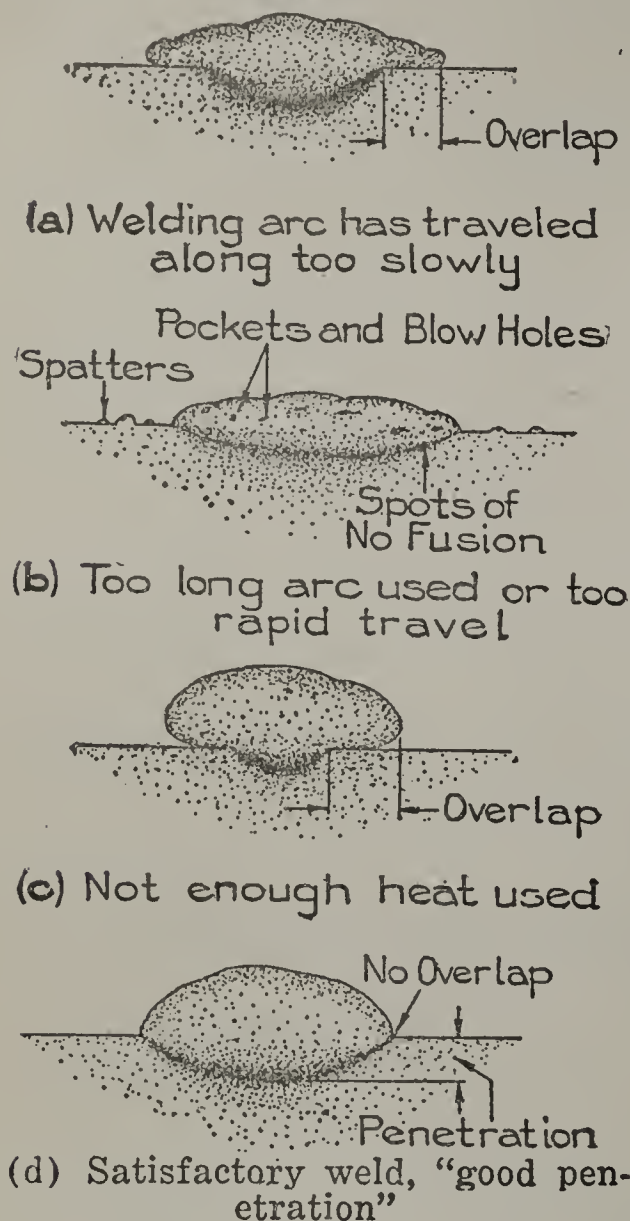
III. Bare and Lightly Coated Electrodes.

WELDING ARC. Unsound welds, insufficient penetration and overlap in general, resulting from improper arc

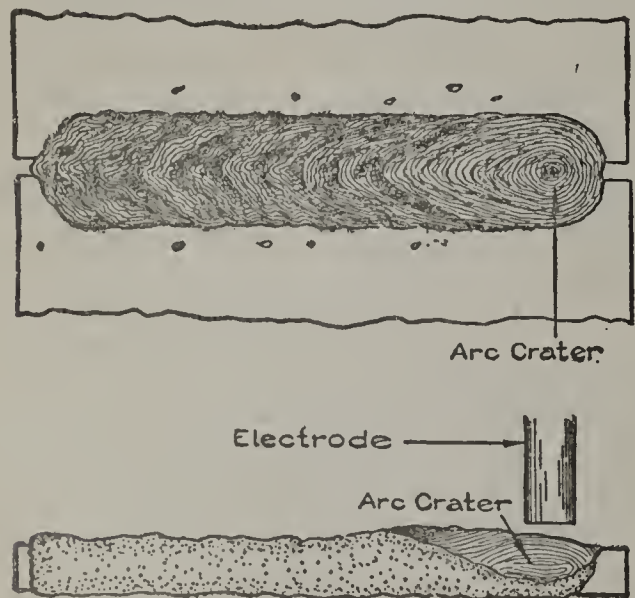
RULES

length and amount of current and incorrect rate of travel, arc prohibited. The characteristics of these different conditions are illustrated in Figs. 7 and 8.

FIG. 7



DEPTH OF CRATER. The depth of arc crater should not be less than 1/16 in. (see Fig. 8).



Longitudinal section of deposited metal showing penetration and arc crater.

FIG. 8

LENGTH OF ARC. In manual metal arc-welding, proper fusion, penetration and soundness of weld shall be secured by using as short an arc as can be maintained for each form of weld. A typical example of proper arc length for given thickness of base metal and for a 3/8-in. fillet weld is shown in Fig. 9. When properly manipulated, the arc will throw a steady shower of small sparks, and (in the case of bare electrodes) will be accompanied by a regular, crackling, snappy sound with fractional intervals less than

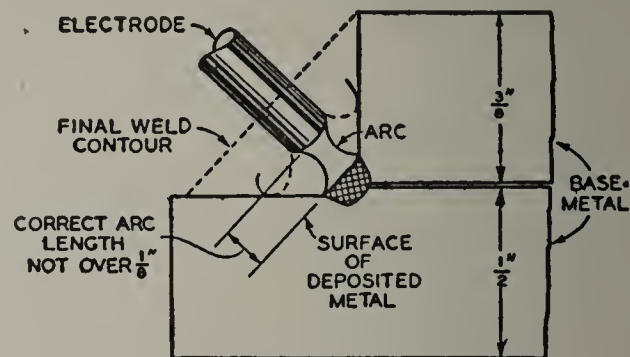


FIG. 9

one-half second between explosions. With a given current, the length of arc depends upon the arc voltage which should not exceed 20 volts.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

Table 2—Current Values and Sizes of Bare and Lightly Coated Electrodes for Various Sizes of Welds

Size of Weld In.	Minimum Number of Layers	Electrodes and Current Values
1/4	1	In all these cases use either 5/32-in. electrodes with 160-180 amps., or 3/16-in. electrodes with 180-225 amps.
3/8	1	
1/2	2	
5/8	2	
3/4	3	

MANUAL OPERATION OF ARC. The arc shall be started by drawing a long arc momentarily to preheat base metal before deposition of filler material to insure thorough fusion at start of weld, or it shall be started moving a short arc rapidly back and forward over a limited area at start.

In case of a long weld where more than one electrode is used, the arc shall be re-started about 1/4 in. to 3/8 in. ahead of the crater, going back over the crater to properly fill it and keep a uniform contour, thus insuring proper preheating as in start of weld.

On single layer welds the arc shall progress with either a straight forward motion or an oscillatory motion depending on size of joint to be filled to bring it up to proper contour and insure proper fusion in root zone.

In multi-layer welding the first layer shall be deposited by moving the arc in a straight forward motion to secure proper fusion in the root zone, while subsequent layers shall be deposited with an oscillatory motion to build up the weld to the proper contour. The first layer shall be

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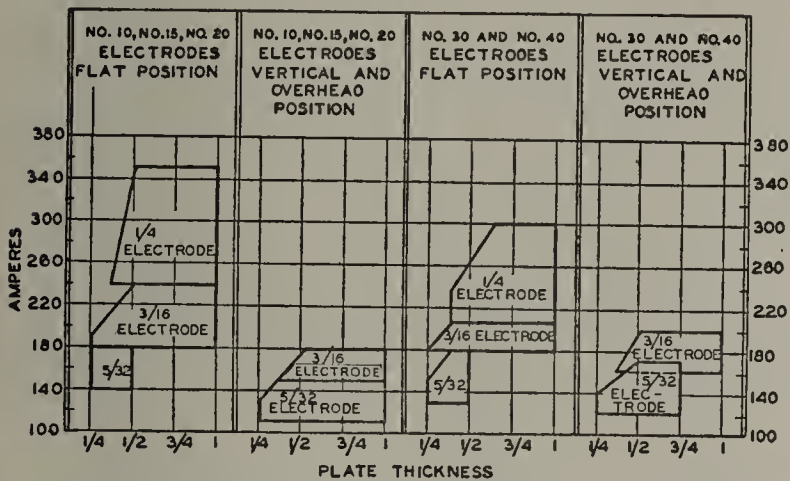
made with an electrode small enough to get thorough penetration at the root zone.

Each layer shall be thoroughly cleaned by brushing or chipping to remove all excess scale and oxides before depositing succeeding layers. The surface of each layer shall be reasonably smooth and uniform in contour.

IV. Heavily Coated Electrodes.

WELDING PROCEDURE. In making welds with heavily coated electrodes the procedure recommended by the manufacturer of the electrodes being used shall be followed, but if such instructions are not available, the procedures given below shall be followed.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metal to be joined. The current ranges in Fig. 10 are given as a guide in selecting the best operating conditions for various electrode sizes and plate thicknesses for flat, vertical and overhead welding. In special cases, other approved sizes and amounts of current may be specified. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.



Current Values and Sizes of Heavily Coated Electrodes for Various Plate Thicknesses for Manually Welded Operations.

FIG. 10

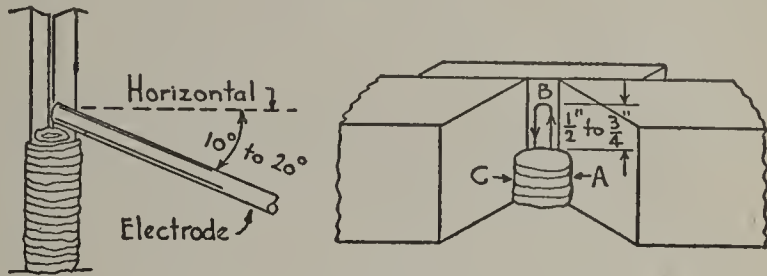
WELDING PROCEDURE FOR FLAT BUTT WELDS. In making butt welds on bevel joints, weave the electrode from one side of the joint to the other. This weaving may not be necessary on the first pass. These oscillations shall be regulated so that the weld metal fuses into the side walls without directing the arc against the walls. This shall be accomplished by pointing the electrode downward and allowing the outer edges of the arc to play lightly on the walls. A stay shall be made long enough on the turns to insure complete fusion into the side walls.

The travel speed shall be regulated to limit the thickness of the layer per pass to not more than 1/8 in.

WELDING PROCEDURE FOR VERTICAL AND OVERHEAD BUTT WELDS. One-eighth (1/8)-in. and 5/32-in. diameter electrodes should be used in the vertical and overhead welding positions, but the 3/16-in. diameter may be used in vertical welding when necessary.

Vertical welds shall be made by welding upward. The first pass should be started by oscillating or weaving the electrode from side to side (Fig. 11A) to produce a weld metal bridge across the "V." Then the arc is to be moved rapidly upward for 1/2 to 3/4 in. along the bottom of the "V" (Fig. 11B), drawing a long arc (about 30 volts), and then back down to the crater again (Fig. 11C), shortening the arc to its previous length. The movement up and down should require about 1/3 sec. and should be easily accomplished with a bending action of the wrist. Its purpose is

to allow the molten metal in the pool to solidify and to preheat the plates ahead of the crater.

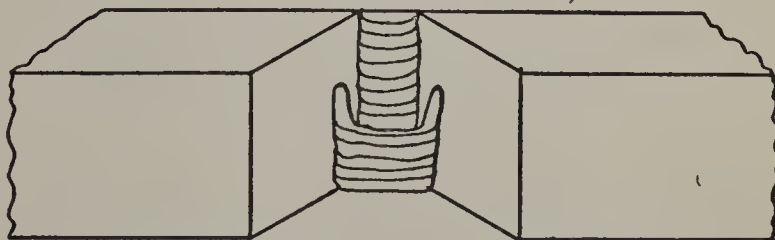


Vertical Butt Weld—First Layer.

FIG. 11

The above cycle of operation shall be repeated all the way up, each time depositing a thin layer of metal on top of the preceding layer. The travel speed on the first pass shall be regulated to limit the deposit to the equivalent of about a 1/4-in. fillet weld. On succeeding passes, the thickness shall not exceed 1/8 or 5/32 in. The successive passes shall be made by this up and down technique or by successive horizontal weaving.

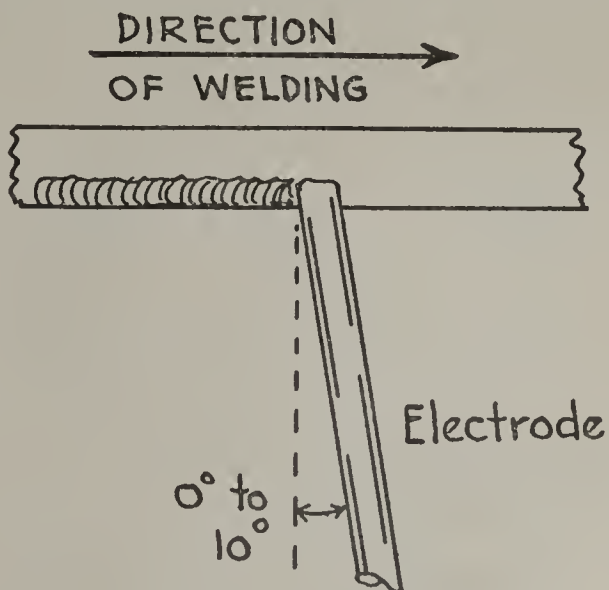
If, in making the second and succeeding passes, a procedure similar to that of the first pass shall be used, the motion (Fig. 12) to be across the pool or shelf, then upward and back at one side of the "V," then across the shelf to the other side, and up and back to the shelf again. The up and down motions shall be done rapidly, lengthening the arc while doing so. If the procedure of weaving straight across is used, it shall be similar to the above except that the up and down motion at each end of the shelf is eliminated.



Vertical Butt Weld—Second Layer.

FIG. 12

For overhead butt welds, the procedure shall be the same as that previously described for vertical welds. The electrode shall be pointed upward and sometimes leaning slightly forward, as shown in Fig. 13. A shelf on which to work shall be deposited at the start and the cycles of operation shall be the same as those for vertical welding.



Overhead Butt Weld.

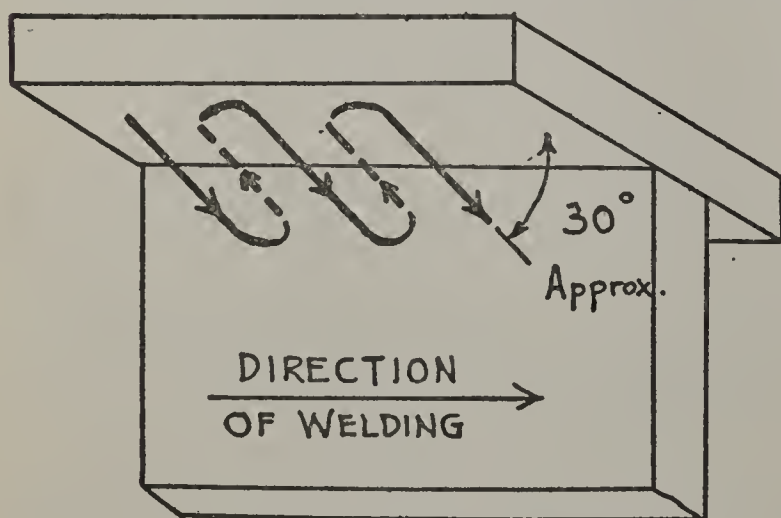
FIG. 13

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WELDING PROCEDURE FOR FLAT AND OVERHEAD FILLET WELDS. For light fillet welds ($\frac{1}{4}$ in. or less) and the first pass of multiple pass welds, the electrode shall be moved only in the direction of travel. The second and successive passes or heavy single-pass welds ($\frac{3}{8}$ in. for example) shall be made by weaving the electrode in a plane making an angle of about 30 degrees with the underside of the plate, as shown in Fig. 14. The solid line represents actual welding. The dotted line represents an upward skip done in about $\frac{1}{3}$ sec.

WELDING PROCEDURE FOR VERTICAL FILLET WELDS. Vertical fillet welds shall be made in the same manner as vertical butt welds.

WELDING PROCEDURE FOR MULTI-LAYER FILLET WELDS IN ANY POSITION. In certain cases fillet welds in sizes up to $\frac{3}{8}$ in. may be made in a single pass by holding the electrode at a suitable angle and moving it along at a uniform rate. Where the fillet weld

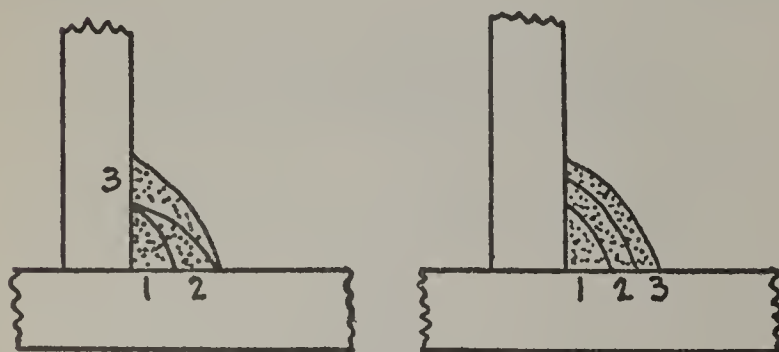


Overhead Fillet Weld.

FIG. 14

requires more than one layer, the second and subsequent layers shall be deposited as a complete spread over the previously deposited metal or in two or more parts as shown in Fig. 15.

ALTERNATE METHODS OF MAKING MULTI-LAYER WELDS



Flat, Vertical, or Overhead Fillet Weld.

FIG. 15

V. Requirements for Gas Welds.

WELDING FLAME. Torches may be either single or multiple flame. The adjustment of the welding flame shall be the same as used in the qualification tests.

The size of the inner cone or inner cones shall be regulated for varying thicknesses of base metal so that the proper amount of heat and flame condition is obtained to

properly perform the welding operation. The criterion for welding flame regulation is that the inner cone or inner cones should be of a size and character which produce sufficient heat to maintain the welding puddle in a quiet molten state, and to cause fusion of the welding puddle with the base metal.

The orifice of the welding tip shall be kept clean at all times during the welding operation so that the regular and symmetrical inner cone or cones can be maintained.

WELDING ROD. The size of the welding rod to be used shall be such that the rod shall be of sufficient diameter to maintain the welding puddle in a quiet molten state.

STARTING WELDS. In starting a weld, the base metal shall be heated to a dull red for a distance of from 1 to 2 in. along the joint so that the point of welding can be brought to the fusion temperature evenly before welding rod is added. If the weld is stopped for any reason, the same precautions should be observed upon restarting.

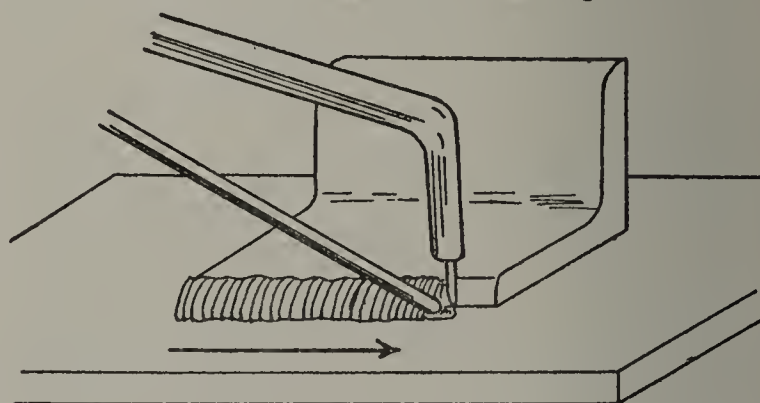
WELDING TECHNIQUE—GENERAL. The welding torch and welding rod shall be manipulated so as to maintain a definite puddle of molten weld metal without overheating either the base metal or deposited metal. The end of the welding rod shall be kept within the limits of the puddle at all times, particular care being taken not to disturb the rear edge of the puddle which might cause slag on the surface to become entrapped in the weld metal. In manipulating the flame, the tip of the inner cone shall preferably not touch either base metal, puddle or welding rod.

Either backhand or forehand technique may be employed. The various positions of welding rod and flame with respect to each other in backhand and forehand techniques are illustrated in Figs. 16 and 17.

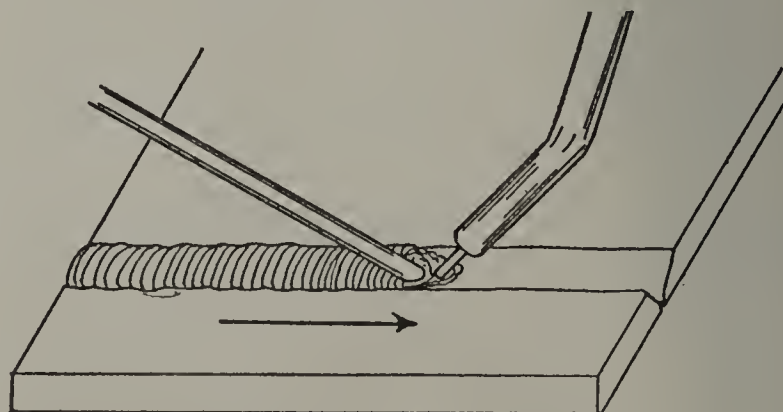
In carrying the puddle forward, the base metal surfaces just in advance of the puddle shall be prepared for fusion with the puddle by melting sufficient surface metal to remove oxides and expose sound base metal. In some cases this depth of melting may be $\frac{1}{32}$ in. or less. Manipulation of the rod and flame in controlling the puddle shall

FIG. 16

Positions of Rod and Flame in Backhand Technique. Arrow indicates direction of welding.

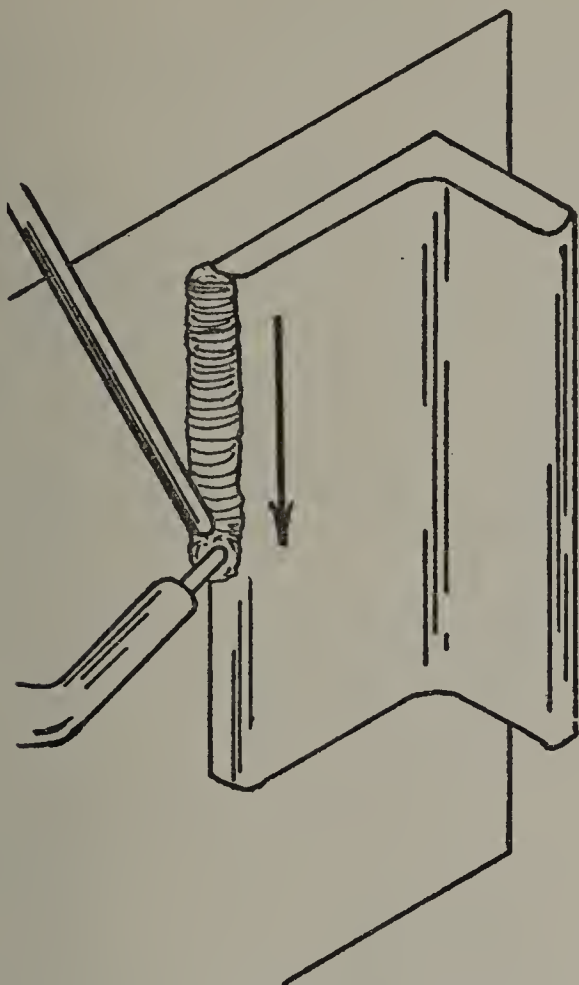


Fillet Weld—Flat Position.

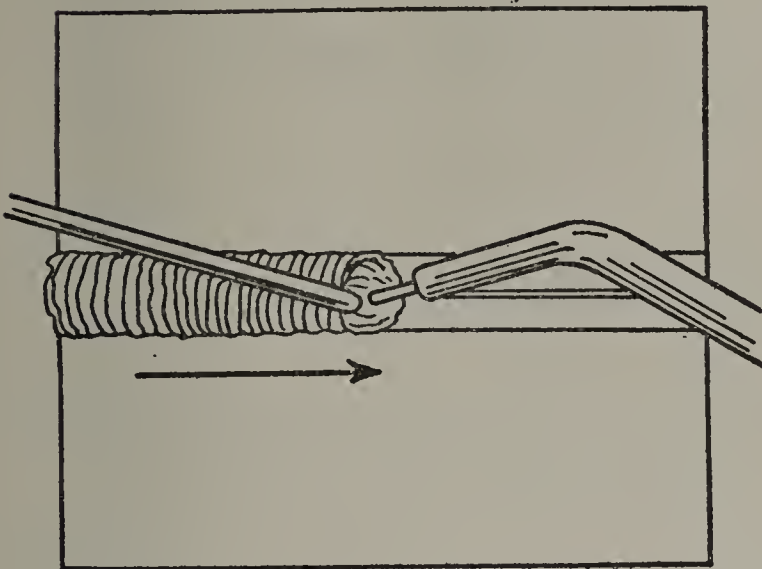


Butt Weld—Flat Position.

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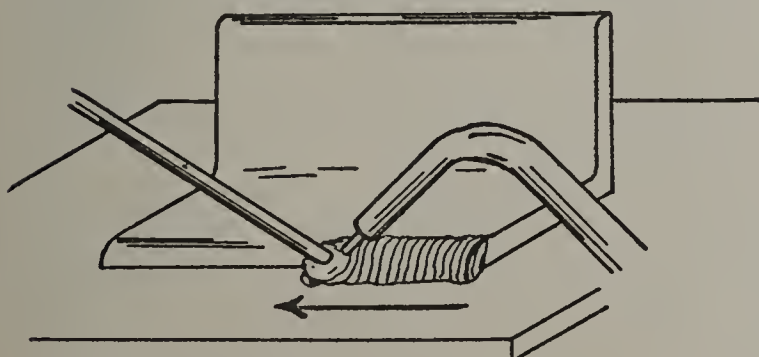
Fillet or Butt Weld—Vertical Position.



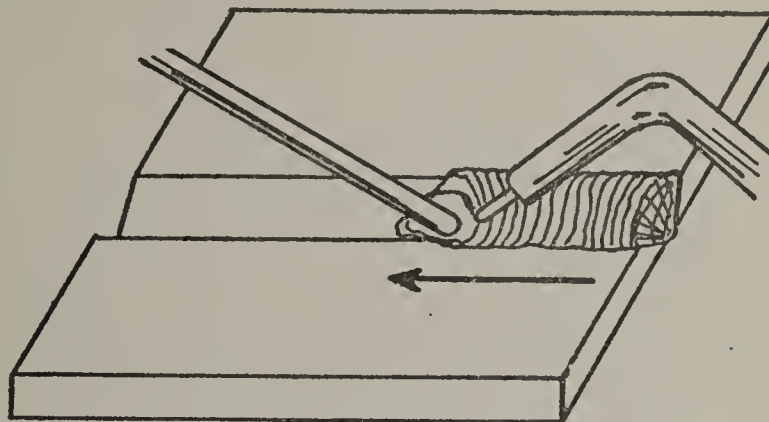
Fillet or Butt Weld—Horizontal Position.

FIG. 17

Positions of Rod and Flame in Forehand Technique.



Fillet Weld—Flat Position.



Butt Weld—Flat Position.

be such that at no time is molten metal from the puddle permitted to flow ahead until this melting has occurred.

For welding in positions other than flat, it shall be permissible to carry a fairly shallow puddle for convenience in controlling it. When using backhand technique, this shall be done by distributing the molten metal in the puddle with the end of the welding rod, providing the puddle is kept sufficiently molten so that surface oxides do not become entrapped in the weld.

FILLET WELDS. When fillet welding in the flat position, there is a tendency for the top plate to melt before the bottom plate. This shall be avoided by pointing the flame more against the lower plate as shown in Figs. 16 and 17. It is essential that fusion be secured at the inside corner or root of the joint, the welding rod and inner cone shall be manipulated so this result will be secured. If desired, the welding rod may be stirred lightly, well within the bounds of the puddle, to maintain a shallow puddle and distribute the molten metal so as to obtain readily welds of proper size and shape.

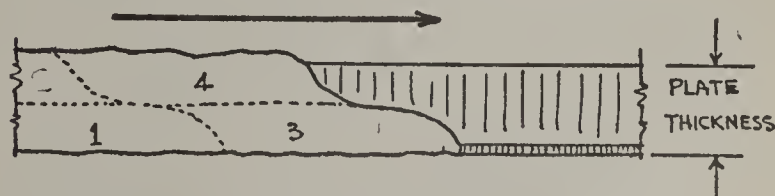
BUTT WELDS. When butt welding in the flat position, manipulation of rod and inner cone shall be such that the bottom of the vee is fused together at the same time but in advance of the upper walls of the vee so that the weight of the puddle does not cause molten metal to sag inside the joint. Where spacing of the joint exceeds $1/6$ in., it is allowable to weld the bottom of the vee together in a separate operation, $1/2$ in. to 1 in. at one time ahead of the principal point of welding.

MULTI-LAYER WELDING. Multiple layer welding may be used in place of single layer welding for all positions of welding and thicknesses of metal, but especially for welds of larger size. The criterion shall be the size of puddle that can most effectively be carried by the welder for the particular position of welding. If the completion of a weld in one layer requires a puddle larger than indicated by this criterion, two or more layers shall be made.

The layers of the weld may be made continuously for the full length, or the welding may be done by the "step" method illustrated in Fig. 18.

FIG. 18

"Step" Method of Multi-Layer Welding.

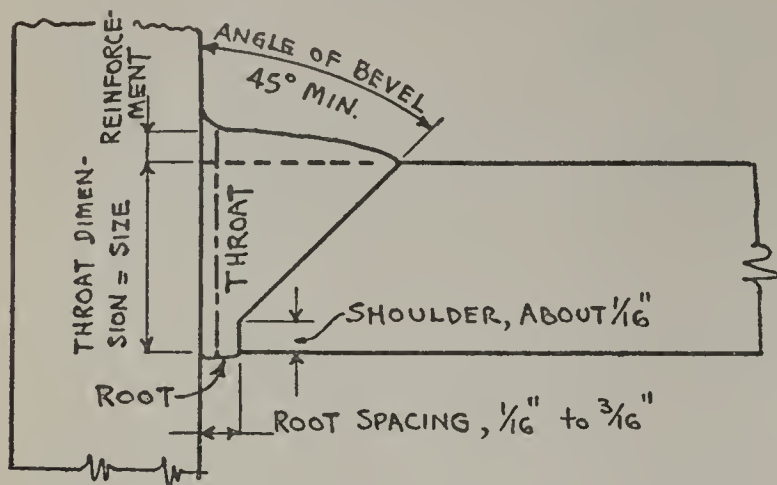


Sequence of "Step" Welds Shown by Numbers.

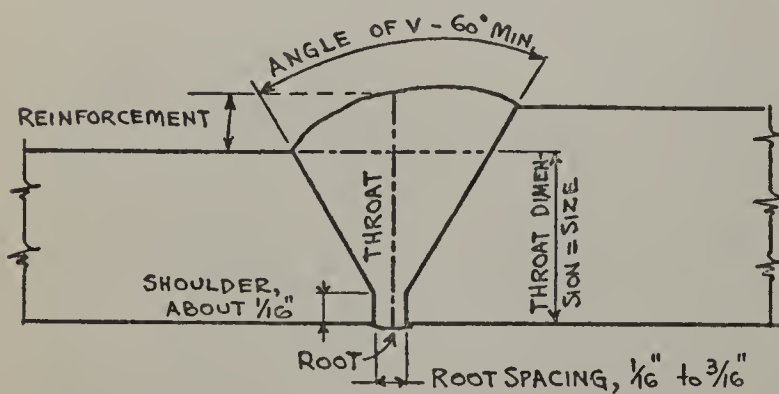
VI. Illustrations of Butt and Fillet Welds.

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FIG. 20

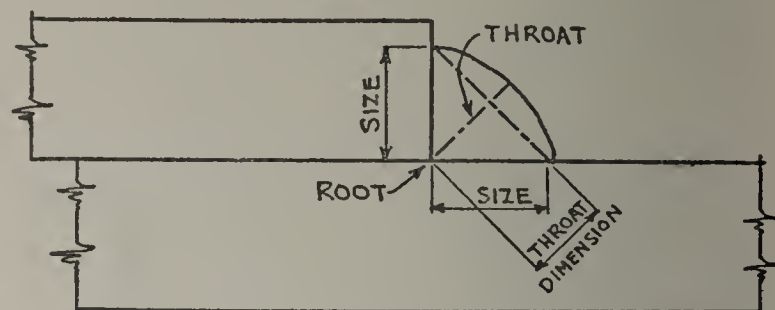


Single Bevel Butt Weld.

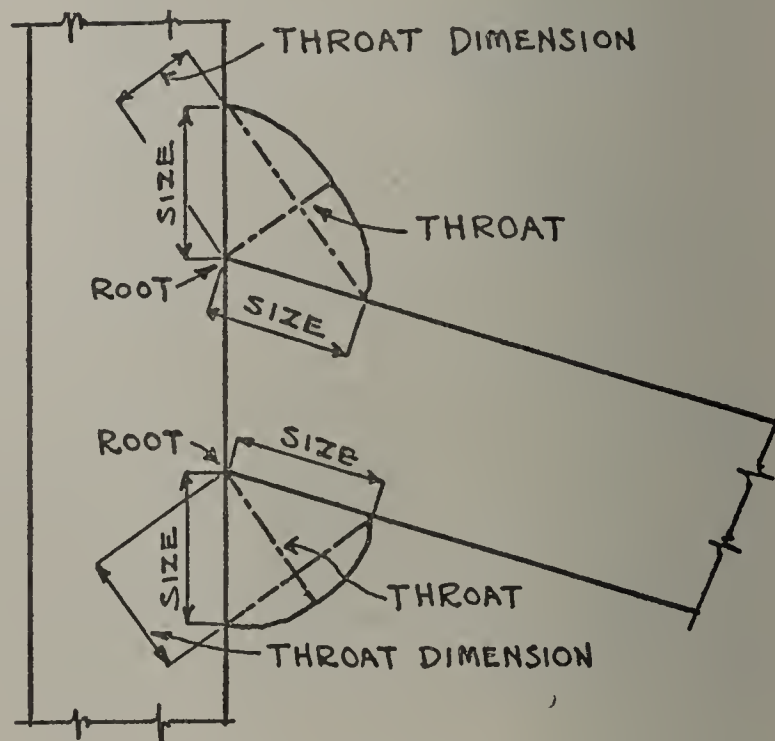


Single-V Butt Weld.

FIG. 21



Right Fillet Weld.



Oblique Fillet Weld.

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Name	Calendar No.
Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Name	Calendar No.
New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

APPROVED FUEL OIL FILL PIPE TERMINALS

Name	Calendar No.
Alro	720-38-SA
Fee and Mason	10-36-SA
Flagg	345-35-SA
J. H. N.	292-35-SA
Moore and Kling, 6 inch Type D.....	184-38-SA
Newbury	223-35-SA

Name	Calendar No.
Preferred	213-35-SA
Rhode Island	204-35-SA
Seal-O-Strain	48-35-SA
Sealtite	231-35-SA
Simplex	214-35-SA
Weco	78-38-SA

RULES

RULES ON USES OF INSULATING FIBRE BOARD.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 5, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 29, 1939.

[170-39-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C-26-189.0 Administrative Code (2.2.1.1), C-26-462.0 of the Administrative Code (8.4.10.6), C-26-458.0, sub. g, Administrative Code (8.4.10.2), C-26-538.0, sub. b, Administrative Code (8.7.2.3), C-26-541.0, sub. a, Administrative Code (8.7.2.6.1), C-26-667.0, paragraphs 4 and 8, Administrative Code (10.9.2.4), sub. c, and (10.9.2.4), Building Code, C-26-680, sub. 21, Administrative Code (10.12.11.1), C-26-541.0, Administrative Code (8.7.2.6.1), C-26-619.0, Administrative Code (10.3.1), and C-26-721.0, Administrative Code (12.2).

NOTE: Where reference in parentheses appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Rule 1. Classes of Fibre Board.

- (1) Wood Fibre
- (2) Exploded Wood Fibre
- (3) Balsam and Wood Fibre
- (4) Western Wood Fibre
- (5) Cane Fibre (Bagasse)
- (6) Pulp from waste papers
- (7) Straw Fibre
- (8) Ground Wood Pulp Fibre
- (9) Corn Fibre

- 1.1. STRUCTURE OF FIBRE BOARD. Fibre boards shall be manufactured from wood or other vegetable fibre by a felting or molding process and provided with sizing to render water-resistant, and shall be subjected to a sufficient drying temperature so as to completely destroy rot-producing fungi. No starch ingredient shall be included unless made toxic to household vermin.
- 1.2. The structure of the board may be either single or multiple ply, and if latter, the plies shall be joined under pressure by a moisture resisting cement. Surfaces shall be finished smooth and free of coarse fibres.
- 1.3. For a plaster base, wall board, roof boards, sheathing, siding, roof insulation, floor insulation, acoustical, interior finish, the fibre board shall be homogeneous, free from cracks, lumps, unevenness and other defects.

TABLE 1

	Building Board (Note 5)	Plaster Base (Note 6)	Miscellaneous uses (Note 7)
Maximum thermal conductivity B.T.U. per hour per square foot per degree F. per inch thickness (note 1).....	0.36	0.36	0.36
Minimum transverse strength, Lengthwise (note 2).....	14	14	7
Pounds Crosswise (note 2).....	12	12	7
Minimum deflection at ultimate load, inches.....	0.25	0.25	0.25
Maximum deflection at ultimate load, inches (note 3).....	.85	.85	1.25
Minimum tensile strength, pounds per square inch (note 4).....	175	175	100
Water absorption per cent.....	5	5	10

Maximum linear expansion, per cent	1/2	1/2	—
Nail holding strength #.....	100	70	60
Bond strength per square foot of bonded surface.....	—	700	—

NOTE 1. No board of any class having a conductance greater than 0.50 b.t.u. per hour, per square foot per degree F. irrespective of thickness will be acceptable under these rules.

NOTE 2. This requirement is based upon specimens 1/2 inch thick. For specimens of other thicknesses the requirement shall be increased in direct proportion, that is, for a thickness of 1-inch, it shall be doubled, etc.

NOTE 3. Minimum deflection at rupture shall be not less than .25".

NOTE 4. Tensile strength requirements shall be applicable only on thicknesses up to and including 1-inch.

NOTE 5. Edges shall be square for building board.

NOTE 6. Edges shall be either ship lapped bevel and ship lapped, tongue and grooved, bevel and tongue and grooved, "V" jointed, or ship lapped and grooved. Each board shall be of a rough fibrous texture to insure good mechanical and suction bond.

NOTE 7. Edges shall be square unless ship lapped or offset.

Rule 2. Uses and Methods of Applying Fibre Board.

- 2.1 Fibre board may be used as a plaster base or wall board in non-fireproof commercial structures not more than 2 stories in height and in one and two family dwellings not exceeding three stories in height and in Class 3 multiple dwellings for partitions and ceilings where either no fire resistive rating is required or where a fire resistive rating not exceeding 1/2 hour is permitted and installed in accordance with the requirements of C-26-458, Administrative Code (8.4.10.2) and C-26-462.0, Administrative Code (8.4.10.6).

The joints on walls and ceilings shall be broken at least one stud apart, and in no event shall joints of fibre board lath be in vertical line, excepting in the corners of a room. The joints shall be broken at every other board on the walls and at right angles to the furring on ceiling. C-26-462.0, Administrative Code (8.4.10.6). They shall be solidly nailed at every bearing not more than 6" center to center for walls and 4" center to center for ceilings and nailed to all studding with 1 1/8" No. 13 gauge blued or galvanized plaster board nails, with 3/8" heads for 1/2" board and 1 3/4" nails with 3/8" heads for 3/4" or 1" board, and with proportionately longer nails for thicker fibre board. All corners shall be reinforced with standard metal corner beads. All re-entrant angles shall be reinforced with standard metal angle lath strip. Reinforcement shall be securely stapled on the lath. At the juncture of frame and masonry construction, 6" strip of expanded metal lath shall be used. No board shall be run through from room to room.

2.1.1 It shall be unlawful to wet fibre board before plastering. C-26-462.0, Administrative Code (8.4.10.6).

2.1.2.1. "SCRATCH OR FIRST COAT."

The scratch coat shall contain not more than 2/3 by weight of sand and 1/3 calcined gypsum plaster with fibres or including other materials and fibring so that the setting time shall not be greater than four hours nor less than 1 1/2 hours and with a tensile strength of not less than 75 pounds per sq. in. The scratch coat shall be not less than 1/4" thick.

2.1.2.2. "BROWN OR SECOND COAT."

The brown coat shall contain not more than 3/4 by weight of sand and the remaining 1/4

RULES

shall not contain less than $\frac{3}{5}$ of calcined gypsum and not more than $\frac{2}{5}$ of other materials, including fibring. The setting time shall be not more than five hours nor less than two. This brown coat shall have a tensile strength of not less than 50 pounds per sq. in. and shall be not less than $\frac{3}{16}$ " in thickness.

2.1.2.3 "FINISH COAT."

The finish coat shall be applied after the application of the second or brown coat has become dry, and shall be set in not less than 20 minutes nor more than four hours and shall have a tensile strength of not less than 200 pounds per sq. in. and be not less than $\frac{1}{16}$ " thick.

2.1.2.4 "GROUNDS."

Suitable grounds shall be established with each thickness of fibre board so as to insure a minimum thickness of $\frac{1}{2}$ " of plaster. Fibre board shall extend from floor to ceiling with grounds secured to the framing members through the fibre board.

2.2 FIBRE BOARD SHEATHING.

Approved fibre board sheathing at least one-half of an inch in thickness and four feet in width may be used instead of wood sheathing when bearing on 4 studs and fastened to each bearing with $1\frac{1}{2}$ " wire nails, 6" or less c-c, with $\frac{3}{8}$ " head, and for $\frac{3}{4}$ " or 1" board, the nails shall be 2" long. C-26-538.0, sub. b (8.7.2.3). The use of fibre board as roof sheathing is not permitted except as insulation over suitable sheathing material.

2.3 MINOR FRAME STRUCTURE.

Approved fibre board siding may be used on wood frame sheds erected where permitted and where open on at least one side, provided such sheds are fifteen feet or less in height and do not exceed 2500 square feet in area and are at least 4 feet from any lot line and are covered on sides and roof with approved fire-retarding material. C26-541.0 (8.7.2.6.1.).

2.4 USE OF FIBRE BOARD WHEN COVERED BY AN INCOMBUSTIBLE WEARING SURFACE.

Untreated combustible insulation board of a single layer or thickness not to exceed $\frac{1}{2}$ " when cemented or attached directly to the surface of an approved type of fire-resistive floor construction may be used elsewhere than in stair enclosure and corridors when covered by an incombustible wearing surface, in accordance with these rules. C26-667.0, sub. 4c (10.9.2.4).

2.5 ROOF AND FLOOR INSTALLATION IN CLASS 1 AND CLASS 2 STRUCTURES.

Fibre board used as insulation may be applied directly to the fire-resistive floor or roof construction in cement, provided such insulation is covered by at least one and one-half inch thickness of Portland Cement concrete or other equally fire-resistive material of equal thickness. C26-619.0, sub. a, Administrative Code (10.3.1). Insulation fibre board so applied shall be over a screeded concrete roof or floor, graded where necessary, and cemented to the arch with hot asphalt or coal tar pitch. Fibre insulation board shall not be left exposed to the elements, nor shall it be applied to wet surfaces of any kind.

2.6 ROOF INSULATION OTHER THAN IN CLASS 1 AND CLASS 2 STRUCTURES.

The use of fibre board as roof insulation is lawful, provided such fibre board is covered with an approved type of fire-resistive roof covering applied directly thereto, C26-680, sub. 2, Administrative Code (10.12.11.1), and when installed in accordance with the requirements of 2.2 of these rules.

2.7 USE OF FIBRE BOARD IN FIRE WALLS. (Formerly Rule 2.8)

Fibre board may be used as insulation in fire walls C26-632.0 sub. g AC (10.4.1.2) if cemented and attached directly to the face of the wall laid up with no intervening air spaces and protected with not less than 2 in. of secured masonry laid tight against the fibre board.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

Published weekly by the Board of Standards and Appeals at its office, Rooms 1000 to 1018, Municipal Building, New York City.

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No. 34

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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Docket.

Rules Directory.

Notice of Adjournment.

Rules for Refrigerating Systems.

CALENDAR

DOCKET

New Cases Filed up to August 15, 1939

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
1029-39-SM.....	B.C.C.	Oil Waterproofing for Mortar and Concrete, manufactured by Building Chemicals Corporation, Material.
1030-39-SM.....		Seven Castles Brand "Foreign" Portland Cement and Temple Brand "Foreign" Portland Cement (Yugoslavian Portland Cement), 14120 bags of each (4th shipment), imported by M. L. Khau, Material.
1031-39-SM.....		Snyder's Rosendale Cement, manufactured by Century Cement Manufacturing Co., Inc., Material.
1032-39-A.....	F.D.....	1535-1541 Third avenue, east side, 78 ft. north of East 86th street (Block No. 1532, Lot No. 4), Borough of Manhattan, 4924-L.F.
1033-39-A.....	F.D.....	4-42 West 14th street, south side, 107 ft. west of Fifth avenue, 1-41 West 13th street and 74-76 Fifth avenue (Block No. 577, Lot Nos. 19 to 32, inclusive, 33, 35, 37, 42 to 47, inclusive, 49, 55, 57, 59, 61 and 65), Borough of Manhattan, Decision re 4419-L.C.
1034-39-A.....	F.D.....	42 East 14th street, south side, 53 ft. east of University place, 123 University place and 41-43 East 13th street (Block No. 565, Lot Nos. 1, 2, 3 and 10), Borough of Manhattan, Decision re 2044-L.F. and 2048-L.F.
1035-39-A.....	F.D.....	1001-1019 Irving avenue, northwest corner of Covert street (Block No. 3539, Lot No. 1), Ridgewood, Borough of Queens, 80647-L.C.
1036-39-BZ.....	H.B.Q.....	222-40 99th avenue, south side, 400 ft. east of 222nd street (Block No. 10805, Lot No. 21), Queens Village, Borough of Queens, Misc. Applic. 4741-39.
1037-39-A.....	F.D.....	48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens, 78874-C and Decision.
1038-39-S.....	H.B.M.....	15 East 56th street, north side, 225 ft. east of Fifth avenue (Block No. 1292, Lot No. 10), Borough of Manhattan, Alt. 2293-39.

1039-39-SM.....	French Portland Cement, manufactured in Paris, France, and imported by Max Landau, Material.
1040-39-A.....	309 East 49th street, north side, 125 ft. east of Second avenue (Block No. 1342, Lot Nos. 6 to 9), Borough of Manhattan, Decision re 17198-L.C.
1041-39-A.....	H.B.Bx..... Southeast corner of Twiggs place and Fifth street (Block No. 5517, Lot No. 101), Park of Edgewater, Borough of The Bronx, Applic. 435-39 (under Section 35, General City Law re Bed of Mapped Streets).
1042-39-SM.....	Berloy Triplex Metal Lath and Berloy Ribplex Metal Lath, manufactured by Berger Manufacturing Division of Republic Steel Corporation, Material.
1043-39-BZ.....	H.B.M..... 440 East 102nd street, southwest corner of East River Drive (Block No. 1695, Lot No. 25), Borough of Manhattan, N.B. 115-39.

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ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 12, 1939, at 10 a.m.

RULES

EXTRACTS FROM CHAPTER 19, ARTICLE 18 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

ARTICLE 1. General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third ($3\frac{1}{3}$), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, commercial buildings and residence buildings are buildings as so defined by Article 4, C26-235.0 of the Administrative Code of the City of New York.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for

civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

ARTICLE 3. Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:	
Class A systems.....	\$20.00
Class B systems.....	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant.....	1.00

ARTICLE 18. Refrigerating Systems.

C19- 96.0.	Permits.
C26-214.0.	Supervision.
C19- 97.0.	Classification.
C19- 98.0.	Permissible locations.
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C19-103.0.	Safety devices.
C19-104.0.	Size of safety devices.
C19-105.0.	Location and discharge of safety devices.
C19-106.0.	Operating precautions.
C19-107.0.	Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

RULES

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 , also dichlorotetrafluoroethane ("F-114") $\text{C}_2\text{Cl}_2\text{F}_4$ and monofluorotrichloromethane ("F-11") CFCI_3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Tests pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One $\frac{1}{2}$ inch
30 to 60 "	One $\frac{3}{4}$ "
60 to 100 "	One 1 "
100 to 175 "	One $1\frac{1}{4}$ inches
175 to 250 "	One $1\frac{1}{2}$ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee \$5, and for renewal thereof the sum of \$1 provided application for such renewal be made for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

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§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;

2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;

3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;

4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;

5. A school unless the refrigerating system is used exclusively for instructions or research purposes;

6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height,

and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8") of brick or six inches (6") of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigerating Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb-waiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.

2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in Column E of such table.

3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in Column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.	
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42

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600	1,450	1 1/2	6	45
700	1,630	1 1/2	6 1/2	48
800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10 1/2	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (1/4") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a 3/4-inch pipe; five heads on a 1-inch pipe; six heads on a 1 1/4-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1.	Col. 2. Low Pressure Side.	
	High Pressure Side.	With Safety Valves.	Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure side.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia

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emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO ₂ and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1—1½"	1—1½"
30 to 60 tons.....	1—1½"	1—¾"
60 to 100 tons.....	1—1½"	1—1"
100 to 175 tons.....	1—1½"	1—1¼"
175 to 250 tons.....	1—¾"	1—1½"
250 to 450 tons.....	1—1"	1—2"
450 to 900 tons.....	.....	2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

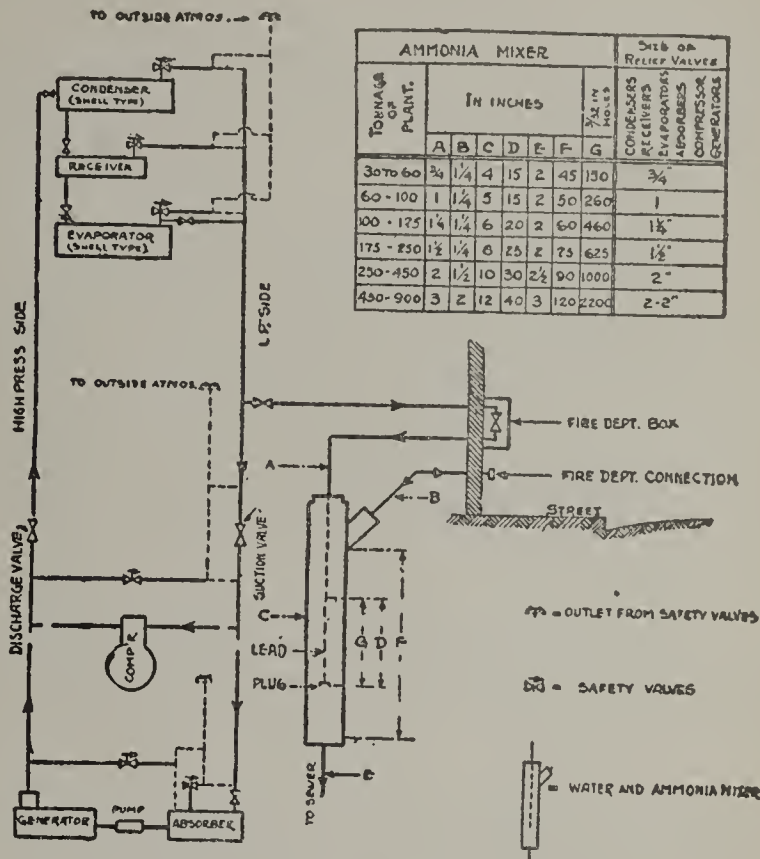
§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

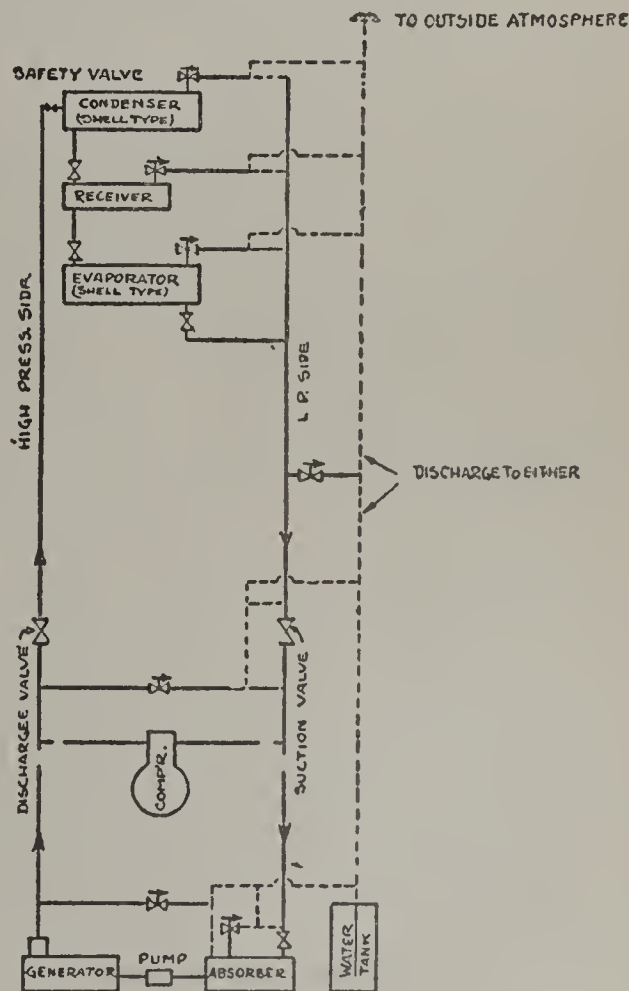
A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'A' EQUIPMENT
SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'B' EQUIPMENT
SECTION C19-107.0

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system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO₂ systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth ($\frac{1}{8}$) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half ($\frac{1}{2}$) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant re-

frigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches ($1\frac{1}{2}$ ") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least $8\frac{1}{2}$ " by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

ARTICLE 27.

Penalties.

§C19-152.0. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or by both.

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BULLETIN

OF THE

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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Approved Fuel Oil Pumps.

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CALENDAR

DOCKET

New Cases Filed up to August 22, 1939

Cal. No.	Department	Premises Affected
1044-39-SM.....		North Eastern Chemical Company Damp-proofing Paint (semi-liquid Asphalt), Formula No. 60 and North Eastern Chemical Company Damp-proofing Mastic, Formula No. 65, manufactured by North Eastern Chemical Company, Material.
1045-39-A.....	H.B.B.....	1608 78th street, south side, 50 ft. 8 in. east of 16th avenue (Block No. 6259, Lot No. 9), Borough of Brooklyn, Alt. 523-39.
1046-39-A.....	H.B.Q.....	69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane (Block No. 2796, Lot No. 13 and Block No. 2797, Lot No. 1), Maspeth, Borough of Queens, N.B. 4754-39 (Under Section 35, General City Law re: Bed of Mapped Streets).
1047-39-BZ....	H.B.Bx....	Southeast corner of Oxford avenue and West 236th street (Block No. 3409-F, Lot No. 430 and part of Lot No. 433), Borough of The Bronx, Decision re N.B. 632-37.
1048-39-SM.....		Wheeling Corrugating Company Tri-Rib Steel Roof Deck, manufactured by Wheeling Corrugating Company, Material.
1049-39-A.....	F.D.....	Transportation of Gasoline in Tank Truck (not of approved type) in New York City, Decision.
1050-39-SA.....		G.A.L. Type "G" Elevator Door and Gate Contact, Appliance.
1051-39-BZ....	H.B.Bx....	West side of Wallace avenue, 100.08 ft. north of Waring avenue (Block No. 4432, Lot Nos. 49, 50 and 51), Borough of The Bronx, N.B. 472-39.
1052-39-A.....	H.B.Q.....	Northwest corner of Beach 105th street and Parkway (Ocean Boardwalk); (Block No. 645, Lot No. 18), Rockaway Beach, Borough of Queens, Misc. Applic. 5276-39 and Zone Viol. 172-39.
1053-39-A.....	H.B.Q.....	165-18 South road, south side, 110.63 ft. east of 165th street (Highview avenue); (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens, N.B. 6809-39 (Under Section 35, General City Law re: Bed of Mapped Streets).

1054-39-BZ....	H.B.M.....	318 West 47th street, south side, 275 ft. west of Eighth avenue (Block No. 1037, Lot No. 44), Borough of Manhattan, Alt. 2414-39.
1055-39-A.....	H.B.B.....	8 Opal Court, south side, 40 ft. west of Madoc avenue (Block No. 7547, Lot No. 1865), Borough of Brooklyn, N.B. 1895-39.
1056-39-BZ....	H.B.Bx....	East side of Faile street, 200 ft. north of Oak Point avenue (Block No. 2769, Lot Nos. 38-41), Borough of The Bronx, B.N. 395-39.
1057-39-BZ....	H.B.B....	2002-2014 Neptune avenue and 2802-2820 West 20th street, southwest corner (Block No. 7018, Lot No. 9), Borough of Brooklyn, N.B. 1862-39.
1058-39-A.....	F.D.....	24 First avenue, east side, 44 ft. south of East Second street (Block No. 429, Lot No. 8), Borough of Manhattan, Decision re 4140-L.F.
1059-39-SM..		Duraplast (Colored Plaster), manufactured by Colonial Plaster Company, Material.
1060-39-BZ....	H.B.B....	1724-1728 Hart place, south side, 124 ft. 1 1/8 in. west of Cropsey avenue (Block No. 6994, Lot No. 23), Borough of Brooklyn, Alt. 1891-39.
1061-39-SA.....		Rotary Hydraulic Automobile Lift, Appliance.

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Concrete Flat Slabs, Rules.....	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime).....	Aug. 3, 1937—Vol. 22, No. 31
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OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 **APPROVED**: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 **AUTOMATIC PUMP**: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 **BURNER**: A device designed for the purpose of burning oil.
- 2.5 **COMMERCIAL INSTALLATIONS**—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 **CONTROLS**—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 **DISCHARGE LINE**: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 **DOMESTIC INSTALLATIONS**—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 **DWELLINGS**: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

- 2.10 **ELECTRICALLY GROUNDED**: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:

- 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch ($\frac{1}{2}$ ") in diameter.

- 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

- 2.11 **FILL PIPE**: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

- 2.12 **FIRE RETARDING MATERIALS**:

- 2.12.1 One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

- 2.12.2 Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

- 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.

- 2.12.4 **Note**—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

- 2.13 **GROUND**: An electrical conductor having capacity to absorb current.

- 2.14 **INDUSTRIAL INSTALLATIONS**: Oil burner installations for industrial purposes.

- 2.15 **OIL**: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.

- 2.16 **OIL BURNING EQUIPMENT**: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

- 2.17 **OIL LEVEL INDICATING DEVICE**: A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half ($2\frac{1}{2}$) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (Ameri-

can Society for Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A. P. I.)	40-44°
No. 1 Fuel Oil	"	"	"	36-40°
No. 2	"	"	"	32-36°
No. 3	"	"	"	28-32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less— $\frac{1}{4}$ in shell, $\frac{1}{4}$ in. heads.
- Tanks 37 to 72 in. in diameter— $\frac{1}{4}$ in. shell, $\frac{5}{16}$ in. heads.
- Tanks 73 to 120 in. in diameter— $\frac{5}{16}$ in. shell, $\frac{3}{8}$ in. heads.
- Tanks over 120 in. in diameter to be of $\frac{3}{8}$ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart. Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20') feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet..... | 24,000 " |
| If distant 40 feet..... | 36,000 " |
| If distant 50 feet..... | 48,000 " |
| If distant 60 feet..... | 60,000 " |
| If distant 75 feet..... | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch (¾") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches (1¼") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than ⅛ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such control may be located immediately inside the

room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.1.4.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equiva-

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lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline	
Autopulse Electric Oil Pump Outfit, Model		and Fuel Oil	175-35-SA
No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston		Quimby Screw Pump	1193-21-SA
Pattern Pump	372-21-SA	Range-O-Matic Oil Pump, Model 50 and Suc-	
Century Rotary	908-21-SA	tion Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB,	
Enterprise Oil Pump	11-28-SA	77-OB, 90B-1, 90B-2, S-1 and S-2.....	199-36-SA
Exeter Rotary	507-22-SA	Tate-Jones	492-21-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
Goulds Hand Rotary	1133-25-SA	Teesdale Oil Pump, Types S, 2S and 4S.....	281-38-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Triplex Plunger	257-22-SA	Tuthill Fuel Oil Pump, Models L, LD and	
Hardinge Fuel Oil Pump.....	813-25-SA	30-LE Fuelstat	568-30-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Koerting Gear Pump.....	1264-25-SA	Viking	438-21-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Warren Oil Pump	1169-23-SA
Leiman Rotary	95-24-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Marsh Fuel Oil Pump.....	1050-23-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA	Worthington Duplex Double-Acting Steam	
M. D. Rotary	52-27-SA	Pump	184-22-SA
		Worthington Show Model Duplex.....	194-22-SA
		Yale and Towne Tri-Rotor Pump.....	191-39-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

Name of Burner	Calendar No.	Name of Burner	Calendar No.
A. B. C. Oil Burner.....	1295-24-SA	Braden Automatic Fuel Oil Burner.....	322-30-SA
A. B. C. Oil Burner, Type H.....	684-29-SA	Branford Oil Burner.....	36-31-SA
Ace Rotary Oil Burner.....	47-35-SA	Branford Oil Burner, Model "A".....	461-32-SA
Acme Automatic Oil Burner (Gun Type)		Brighton Oil Burner.....	372-33-SA
Model A-1	112-36-SA	Bullet Automatic Oil Burners, Models A and B	195-33-SA
Acme Oil Burner, Models BO-1 and BO-2..	132-34-SA		
Aetna Automatic Oil Burner.....	1547-23-SA	Caloroil Burner, Type AA.....	1361-24-SA
Air-Blast Oil Burner.....	579-32-SA	Caloroil Horizontal Rotary Oil Burner, Models 1, 2, 3, 4, 5 and 6.....	327-31-SA
Airnoil Burner	175-37-SA	Camel Automatic Oil Burner, Model 30, Types A, B and C and Models J and A.S.....	229-32-SA
Airtemp Oil Burner, Models B-6 and C-6....	139-36-SA	Capitol Oil Burner, Models A, B and E....	23-37-SA
Airtemp Oil Burner, Models D, F and G....	88-34-SA	Carboradiant Oil Burner, Models V & VS...	16-31-SA
Aldrich Heat-Pak Oil Burner, Models 35, 35F, 35TF, 35LG, 35DD, 35J, 35OA, 35P, 35GF, 35FF, 35CA and Compact.....	237-36-SA	Carboradiant Oil Burner, Model VSS.....	49-32-SA
Aldrich Sav-Haf Oil Burner, Models 35F5SP, 35F5LP, 35F5XP and 35J5.....	514-39-SA	Carborundum Burner	571-29-SA
Alladin Oil Burner.....	298-26-SA	Carrier Oil Burner, Models CE, FE, F, G and H	116-37-SA
Alexander Oil Burner.....	65-28-SA	Carrier Oil Burner, Model 62C2.....	499-38-SA
Alida Oil Burner.....	124-34-SA	Carrier Oil Burner, 62D2 and 62D3.....	334-39-SA
Alida-Remington Oil Burner.....	124-34-SA	Cardinal Oil Burner, Model C	50-37-SA
Alpine Oil Burner, Models A and H.....	110-36-SA	Carter-Korth Oil Burner, Model "P".....	389-32-SA
Ameco Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA	Carter-Korth Oil Burner	54-30-SA
Ameco Oil Burner, Model 2½M.....	559-38-SA	Carter Oil Burner, Models, 4X, 5X, 6X and 10X	117-34-SA
American Blue Flame and Sun Flame Oil Burning Heaters, Models No. 73, 86, 88, 92, 93, 94, 95, 96, 4512, 4518, 4528, 4538, 4562, 4563, 4573, 4578, 4588, 4688, 4678, 4668, 4666, 4683, 4663, 4653, 4673, 4674, 4664, 4612, 4618, 4628, 4638, 4788, 4778, 4768, 4783, 4763, 4753, 4773, 4712, 4718, 4721 and 4738	298-33-SA	Ceco Oil Burner	354-35-SA
Arcoflame Oil Burner	426-38-SA	Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Arcoflame Oil Burner, Models B and C.....	426-38-SA	Century Oil Burner	157-28-SA
Aristocrat Oil Burner	222-35-SA	Century Pressing Machine Oil Burner, Models U1 and U2.....	25-37-SA
Arrow Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA	Challenger Kleen Heat Burner, Series No. 100	813-28-SA
Arrow Oil Burner, Model 2½M.....	559-38-SA	Challenger Oil Burner, Model "A".....	86-34-SA
Associated Oil Burner	178-35-SA	Chalmers-Ace (Rotary) Oil Burner.....	47-35-SA
Auto Heat Oil Burner.....	284-33-SA	Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA
Autocrat Oil Burner, Model B-1.....	297-31-SA	Citro Oil Burner, Models A and B.....	86-36-SA
Automatic Airless Oil Burner, Model No. 1..	53-34-SA	Clark Domestic Gun Type Oil Burner, Models EJ-1 and EJ-2	579-37-SA
		Clark Horizontal Rotary Oil Burner.....	618-37-SA
Baker Automatic House Heating Burner....	1323-22-SA	Commonwealth Automatic Oil Burner.....	348-28-SA
Baker Oil Burner, Model L, Gun Type.....	404-29-SA	Concord Burner	108-35-SA
Baker Perkins Atomizing Type, Mechanical Draft Oil Burner, Types C and CD.....	329-35-SA	Conservoil Burner, Models H-1C and H-1F..	155-37-SA
Ballard Baby Grand Oil Burner.....	447-32-SA	Continental Oil Burner, Models A, B and C..	146-31-SA
Ballard Oil Burner, Models B-A, 1, 2, 3 and 4	447-32-SA	Cook's Automatic Oil Burner.....	955-27-SA
Ballard Oil Burner, Model BAO.....	839-38-SA	Cope-Swift Safety Automatic Oil Burner....	354-31-SA
Ballard Super Domestic Oil Burner.....	939-24-SA	Craftsman Oil Burner	222-35-SA
Bauer Oil Burner.....	129-37-SA	Crano Oil Burner, Models H-1C and H-1F..	155-37-SA
Bayard Domestic Fuel Oil Burner.....	1184-22-SA	Crater Automatic Oil Burner.....	34-34-SA
Beckett Commodore Oil Burner, Model OB-1	518-39-SA	Crescent Oil Burner.....	222-29-SA
Benat Oil Burner, Models A, B and E.....	23-37-SA	Crescent Type M Size I Oil Burner and Models 8, 18 and 28.....	592-31-SA
Berggren Oil Burner.....	764-26-SA	Creveling Oil Burner, Models A, B and E...	23-37-SA
Bethlehem-Doe Oil Burner, Models CE, FE, F, G and H.....	116-37-SA	Crown Oil Burner, Type XA.....	426-29-SA
Bethlehem-Hering Oil Burner, Models CE, FE, F, G and H.....	116-37-SA	Crystal Blue Flame Oil Burner.....	423-29-SA
Bethlehem Oil Burner, Crusader Model.....	335-38-SA		
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA	Dahl Vaporizing Oil Burner.....	915-26-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA	D'Elia Oil Burner.....	155-31-SA
Bettendorf "Double Heat" Automatic Oil Burner, Models MV and MW.....	505-37-SA	Delco Heat Oil Burner.....	420-31-SA
Bettendorf High Pressure Oil Burner.....	479-31-SA	Delco Heat Oil Burner, Models DX, D12, D34, D44, DR, DRO, DR-1, DRF, DF2, and DLM	800-38-SA
Bettendorf Oil Burner.....	731-28-SA	Demand Oil Burner	108-34-SA
Bettendorf Oil Burner, Model H.B.....	498-32-SA	DeWalt Oil Burner.....	541-31-SA
Bock Oil Burner, Models A, B, C and D....	123-31-SA	Diesel-American Oil Burner, Model D-A-1..	6-37-SA
Rock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA	Diesel Oil Burner	354-35-SA
Borden Oil Burner, Model B.....	29-37-SA	Dietz Oil Burner, Type B.....	295-29-SA
		Dietz Oil Burner, Type D.....	1105-22-SA
		Dist-o-matic Oil Burner.....	663-28-SA
		Doe Oil Burner.....	317-31-SA
		Doherty Oil Burner.....	943-26-SA
		Draft-Rite Oil Burner	178-35-SA
		Dupont Oil Burner	248-36-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Eastonoil Automatic Oil Burner, Models A, B and C	600-31-SA	Goodspeed Automatic Oil Burner.....	957-27-SA
Econ-O-Heat Oil Burner, Model E.....	130-37-SA	Goodspeed Oil Burner, Nozzle Type 2.....	346-33-SA
Econ-O-Mizer Oil Burner, Models E, M and A	393-38-SA	Gould Automatic Oil Burner.....	178-35-SA
Economy Oil Burner, Type A-1.....	45-31-SA	Grant Oil Burner.....	382-26-SA
Edison Oil Burner, Models A, B and E.....	23-37-SA	Grant Oil Burner, Model "C".....	232-32-SA
Eisler Automatic Oil Burner.....	481-27-SA	Hardinge Oil Burner.....	813-25-SA
Elec-tro-matic Oil Burner, Type 151.....	125-33-SA	Hardinge Oil Burner, Model 23.....	33-33-SA
Electrol Automatic Oil Burner and Models BB, C, EA, TCV, TUV, TM and JM...	259-25-SA	Harris Fuel Oil Burner.....	690-30-SA
Ember-Glo Oil Burner.....	462-32-SA	Hart Automatic Oil Burner.....	1162-24-SA
Empire Oil Burner	222-35-SA	Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Enterprise Rotary Fuel Oil Burner.....	1149-27-SA	Hart Oil Burner, Model "H".....	221-33-SA
Enterprise Steam Atomizing Burner.....	15-33-SA	Hauck Venturi Low Pressure Oil Burner....	88-27-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3.....	225-32-SA	Hayward Oil Burner (Vertical Rotary), Models AG, BG, CG, DG, AP, BP, CP and DP	696-30-SA
Espo Oil Gas Burner.....	1431-23-SA	Hayward Oil Burner, Model 2000.....	118-35-SA
Esso Oil Burner, Models E.B. 1 and 2.....	520-31-SA	Heat and Power Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Esso Oil Burner, Models E.B. 3, 4 and 5....	109-31-SA	Heat and Power Oil Burner, Model 2½M....	559-38-SA
Esso Oil Burner, Model EBOO.....	839-38-SA	Heat King Oil Burner, Model 2.....	98-35-SA
Evenheat Oil Burner.....	554-32-SA	Heat-O-Matic Oil Burner.....	178-35-SA
Everedy Oil Burner.....	102-33-SA	Heat-Pak Oil Burner, Models 35 and Compact	237-36-SA
Fadco Oil Burner	493-24-SA	Heatiator Oil Burner.....	1346-23-SA
Fairfield-Diesel Oil Burner.....	753-38-SA	Heil Combustion Fuel Oil Burner.....	1105-22-SA
Fairfield Model F Jr. Oil Burner.....	547-37-SA	Heil Combustion Fuel Oil Burner, Type B...	295-29-SA
Fairfield Oil Burner.....	584-31-SA	Henjes Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Faultless Oil Burner.....	493-24-SA	Herco Oil Burner, Models R-15, R-35, F, P-15, P-35, P-50, J-5, J-10, S-20 and S-40..	21-36-SA
Fine-Glo Oil Burner.....	178-35-SA	Hercules Oil Burner.....	510-29-SA
Fitzgibbons Oil Burner, Model M.....	172-37-SA	Hercules Oil Burner, Models H, HF and Type H, 1937 Model	309-33-SA
Flex-O-Gas Oil Burner for Pressing Machine, Model T-2	125-36-SA	Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Fluid Heat Domestic Oil Burner, Type O...	1094-27-SA	Herman Nelson Conversion Oil Burner.....	144-36-SA
Fluid Heat (Gun Type) Oil Burner, Model P	134-35-SA	Hillcrest Oil Burner, Models A, B and E....	23-37-SA
Fluid Heat Oil Burner.....	361-32-SA	Hipoint Oil Burner, Models A-2, B-2 and C-2	11-36-SA
Forsdraft Oil Burner.....	41-34-SA	Hofmann Automatic Fuel Oil Burner, Model 41	274-35-SA
Foster Oil Burner.....	715-26-SA	Holby Type A Fuel Oil Burner.....	688-29-SA
Franklin Domestic Oil Burner.....	560-26-SA	Holland Gun Type Oil Burner.....	225-37-SA
Freeport-Silent Service Oil Burner, Models 5, 10 and 30.....	97-33-SA	Holland Type "F" Oil Burner.....	237-34-SA
Friar Oil Burner, Models R-15 and R-35....	21-36-SA	Home-Utility Oil Burner, Models A and H..	110-36-SA
Fuelo Oil Burner.....	47-30-SA	Homer Domestic Oil Burner.....	1211-25-SA
Gar Wood Oil Burner.....	373-30-SA	Homer Utility Oil Burner.....	187-33-SA
Gar Wood Oil Burner, Models K, K-3500, T and W	481-32-SA	Homestead Oil Burner, Model E.....	176-36-SA
General Automatic Oil Burner, Model A....	60-36-SA	Homestead Twin Control Oil Burner, Models J, N, H, JU and NU.....	176-36-SA
General Electric Fuel Oil Burner.....	434-32-SA	Hupp Oil Burner, Models H, U. P and PP..	10-34-SA
General Electric Oil Burner, Type DA-2....	228-33-SA	Ideal Arco Variflame Oil Burner.....	837-38-SA
General Electric Oil Burner, Type DB-2....	201-38-SA	Ideal Oil Burner, Models A, B and E.....	23-37-SA
General Electric Oil Burner, Models LA-3 and LA-6	605-38-SA	Imperial Oil Burner.....	187-33-SA
Ghapco Steam Generator	348-31-SA	Improved Kres-Kno Oil Burner and Model MD	591-29-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH....	1493-22-SA	Indiana Oil Burner, Models AG, AGH, AP and APH	503-37-SA
Gilbarco G.B.O. Oil Burner.....	282-33-SA	Inferno Oil Burner.....	82-33-SA
Gilbarco Industrial Burner.....	350-32-SA	International Mechanical Draft Oil Burner..	372-30-SA
Gilbarco Oil Burner, Models G.B. 1' and 2...	520-31-SA	International Oil Burner.....	1305-24-SA
Gilbarco Oil Burner, Models G.B. 3, 4 and 5	109-31-SA	Iron Fireman Oil Burner, Model M.....	577-39-SA
Gilbarco Oil Burner, Model GBOO.....	839-38-SA	Jacobsen Balanced Oil Burner, (Model V-1)	333-33-SA
Gilbert & Barker Flexible Flame Burner....	109-31-SA	Johnson Improved Rotary Fuel Oil Burner..	938-22-SA
Gilbert & Barker Junior Flexible Flame Domestic Oil Burner.....	520-31-SA	Joyce Oil Burner.....	852-26-SA
Gilbert & Barker Oil Burner, Model S-1....	282-33-SA	K. F. C. Oil Burner.....	846-25-SA
Gilbert-Bethlehem Oil Burner, Models CE, FE, F, G and H.....	116-37-SA	Kaytown Quiet Automatic Oil Burner, Models A, B and C.....	146-31-SA
Gill Oil Burner.....	1231-23-SA	Kelco Oil Burner.....	237-33-SA
Gold Star Oil Burner, Models F, S, J and J-1	166-33-SA	Kelvinator Oil Burner.....	339-31-SA
Golden Glow Oil Burner.....	493-24-SA	Kelvinator Oil Burner, Models K, 0256-A, 0256-B, 0256-C, 0456, 0836 and NK 30-A and Models NK 30-B, NK 30-C, NK 30-D, NK 45 and NK 83.....	105-34-SA
Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Kelvinator Rotary Oil Burner, Models NKB-275S, NKB-400S, NKB-525S, NKB-675S, NKB-440W, NKB-640W,, NKB-840W and NKB-1080W	255-39-SA	Minneapolis Automatic Oil Burner.....	34-34-SA
KeWaNee Oil Burner, Model "C".....	518-32-SA	Mohawk Oil Burner, Models A and H.....	110-36-SA
Keystone Oil Burner, Models LP and WP..	438-38-SA	Monitor Oil Burner.....	202-34-SA
Kingsco Oil Burner, Model E.....	130-37-SA	Morgan Oil Burner, Models A and H.....	110-36-SA
Kingsway Century Oil Burner, Models F and G	369-33-SA	Morrissey Oil Burner.....	673-27-SA
Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA	Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1....	359-33-SA
Kleen Heet Oil Burner.....	62-24-SA	Morse Conical Type Steam Atomizing Burner	938-25-SA
Kleen Heet Oil Burner, Type 902.....	99-35-SA	Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Kleen Heet Oil Burner, Type R.....	49-33-SA	Morse Fuel Oil Burner.....	820-23-SA
Korth Oil Burner, Models G and S.....	136-34-SA	Moto-Heat Oil Burner.....	195-32-SA
Kreager Oil Burner.....	367-30-SA	Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15	628-23-SA
Kres-Kno Oil Burner.....	443-28-SA	Mousette Oil Burner.....	887-25-SA
Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1.....	354-34-SA	Nabco Oil Burner.....	287-37-SA
Kresky Oil Burner, Model MD.....	591-29-SA	Nairoil Oil Burner, Type R, Model E.....	13-35-SA
Laco Oil Burner, Model NL.....	670-30-SA	National Airoil High Pressure Burner.....	185-29-SA
Laco Oil Burner, Models F, JF, BF and D..	226-33-SA	National Airoil Low Pressure Burner.....	186-29-SA
Lange Economical Oil Burner.....	355-33-SA	National Airoil Type D-R Rotary Oil Burner	548-31-SA
Latham Automatic Oil Burner.....	49-38-SA	National Devices Oil Burner.....	184-36-SA
Lawrence May Oil Burner.....	1034-27-SA	National Heat and Power Co., Inc., Oil Burner	788-38-SA
Leader Bake Oven Oil Burner.....	384-36-SA	National Oil Burner, Model E-J.....	360-34-SA
Leader Oil Burner.....	425-31-SA	National Oil Burner, Series N, Models S, I and C	1129-38-SA
Lectromatic Oil Burner, Model 2½M.....	559-38-SA	National Rotary Oil Burner.....	836-25-SA
Leiman Brothers Fuel Oil Burner.....	314-30-SA	Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA
Lektro-Matic Oil Burner, Models 1-G, 2-G, 3-G, 4-G and 5-G.....	265-37-SA	New Perfection Oil Burner, Type "C".....	518-29-SA
Lennox Oil Burner, Series LE-1, LE-2 and LE-3	565-38-SA	New Process Oil Burner.....	1071-27-SA
Liberty Automatic Heater.....	129-28-SA	Nichols-McCann-Harrison Burners	255-31-SA
Liberty Pressure Oil Burner.....	75-34-SA	Noiseless Nokol Model G Oil Burner.....	801-28-SA
Lochinvar Oil Burning Unit.....	142-36-SA	Noiseless Nokol Rotary Oil Burner, Model R	584-28-SA
Lonergan Automatic Oil Burner.....	208-33-SA	Nokol Automatic Burner.....	1078-24-SA
Luxor Heat Oil Burner.....	322-30-SA	Norge Oil Burner, Models N5, N8, N68 and N88	345-31-SA
Lynn Power Oil Burner, Models 1, 2 and 3..	166-34-SA	Norge Oil Burner Models N8, N18 and N28.	226-34-SA
"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800..	341-32-SA	Norge Oil Burner, Models N8-8C and N13-8C	543-37-SA
M. W. Emancipator Oil Burner.....	102-33-SA	Norge Water Heater, Models 23 and 45.....	365-34-SA
M. W. Oil Burning Water Heater.....	737-29-SA	Nu-Way Oil Burner.....	773-26-SA
M. W. Water Heater, Model 20-D.....	365-34-SA	Nu-Way Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Magna Fuel Oil Burner.....	197-33-SA	Nu-Way Oil Burner, Model 2½M.....	559-38-SA
Majestic Oil Burner.....	693-30-SA	Oil Aire-Flo Burner Unit, Series H.....	564-38-SA
Major Oil Burner, Models H, U, P and PP..	10-34-SA	Oilbuilt Burner	85-33-SA
Major Oil Burner, Models M and J.....	293-38-SA	Oil King Oil Burner, Models F, S, J and J-1	166-33-SA
Marr Oil Burner, Model H, Type R.....	765-26-SA	Oliver Oil Gas Burner, No. 30-A.....	1359-24-SA
Marvelo Oil Burner, Model MB.....	336-38-SA	Orco Oil Burner, Model A-1.....	216-36-SA
Master Fuel Oil Burner.....	350-32-SA	Oronoke Oil Burner.....	394-30-SA
Master Gulf Oil Burner, Models A, B and E	23-37-SA	Orr Fuel Oil Burner.....	113-26-SA
Master-Kraft Oil Burner.....	83-33-SA	PDM Low Pressure Oil Burner.....	205-38-SA
May Oil Burner, Models L, C and S.....	68-24-SA	Pacific Oil Burner.....	343-35-SA
May Oil Burner, Models BB, B, NSJ, F, NSJ1, W, SMT, LCT and DU.....	46-34-SA	Packard Fuel Oil Burner.....	77-34-SA
Mayfield Oil Burner.....	568-31-SA	Paragon Oil Burner, Model A-25.....	248-37-SA
Mayflower Oil Burner.....	124-29-SA	Paragon Oil Burner, Models R-15 and R-35..	21-36-SA
Mazda Oil Burner, Models A, B and E.....	23-37-SA	Paramount Oil Burner.....	1193-25-SA
McIlvane Oil Burner.....	544-29-SA	Paramount Oil Burner, Model A.....	617-30-SA
Melco Automatic Oil Burner, Type "A".....	1032-25-SA	Pascoe Oil Burner.....	1029-26-SA
Merco Oil Burner.....	637-29-SA	Penn Automatic Oil Burner, Gun Type.....	250-37-SA
Mercuriol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA	Penn Rotary Oil Burner.....	236-35-SA
Mercury Oil Burner, Model M-2.....	722-39-SA	Peoples Silent Oil Burner, Models O and G..	313-35-SA
Metered Heat Oil Burner, Model G.....	136-34-SA	Perfect Automatic Oil Burner, Models DL-7, DL-8, DL-10, 0-5, 0-7, 0-8 and 0-10.....	264-35-SA
Metro-Pressure Oil Burner, Models A, B and C	146-31-SA	Perfect Automatic Oil Burner (Gun Type), Model A-1	112-36-SA
Micron Oil Burner.....	345-34-SA	Perfect-Pantex Oil Burner.....	271-33-SA
Midget Oil Burner.....	155-34-SA	Perfex Airnoil Burner	175-37-SA
Midget Pressing Machine Oil Burner.....	122-35-SA	Petro Domestic Burner	161-26-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114.....	327-31-SA	Petro Model T Oil Burner.....	451-31-SA
		Petro Model W Oil Burner.....	452-31-SA
		Petro Burner, Model O.....	78-28-SA
		Petro Burner, Model P-2.....	735-30-SA
		Petro Oil Burner, Model W-2.....	244-33-SA
		Petro Oil Burner, Models W-1 and W-1½....	245-33-SA
		Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15.....	40-31-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH.....	614-32-SA	Silent Flame Oil Burner, Model M.....	172-37-SA
Philco Oil Burner, Models AM and B.....	27-37-SA	Silent Flash Oil Burner, Model C1.....	38-33-SA
Pioneer Automatic Oil Burner.....	1259-27-SA	Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA
Precision Oil Burner, Model W.....	137-37-SA	Silent Glow Oil Burner, Model G.....	600-30-SA
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA	Silent Glow Oil Burner, Models 600, 800, 1000, 1200, 1800, 2800, 3800, 6800 and 8800.	345-31-SA
Pressure Oil Burners, Models A B and C...	146-31-SA	Silent Glow Oil Burner, Model 1300.....	12-37-SA
Presto Automatic Oil Burner.....	294-34-SA	Silent Glow Oil Burner for Pressing Machines, Models 600 and 800.....	327-37-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA	Silent Heet Oil Burner, Models A, B and E..	23-37-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA	Silent Heet Oil Burner, Model C.....	96-36-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS.....	224-34-SA	Silent Paramount Oil Burner, Models F and G	369-33-SA
Public Service Oil Burner, Models R-15 and R-35	21-36-SA	Simplex Domestic Oil Burner, Type P.A....	446-30-SA
Pyrolene Oil Burner.....	184-36-SA	Simplex Domestic Type "S.P." Oil Burner..	145-31-SA
Quiet Ballard Automatic Oil Burner.....	660-30-SA	Simplex Horizontal Rotary Oil Burner, Types H, H.E.G. and H.E.G.-H.....	367-36-SA
Quiet Heet Oil Burner.....	49-36-SA	Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.....	1203-22-SA
Quiet May Oil Burner, Models L, C and S...	68-24-SA	Socony Arrow Oil Burner.....	1191-24-SA
Quiet May Oil Burner, Models BB, B, NSJ, F, NSJ1, W, SMT, LCT and DU.....	46-34-SA	Standard Automatic Oil Burner, Type 14-G.	536-31-SA
Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA	Standard Automatic Oil Burner, Type 11-G.	537-31-SA
Radiant Oil Burner, Model 2½ M.....	559-38-SA	Standardyne Oil Burner.....	34-34-SA
Rasol Oil Burner.....	108-34-SA	Stephens Oil Burner, Models Nos. 1 and 2....	146-33-SA
Ray-Dio Sunshine Oil Burner, Model C, sizes 12, 14 and 16.....	368-34-SA	Sterling Oil Burner	322-30-SA
Ray Gun Type Oil Burner, Model XP.....	50-38-SA	Stromberg Oil Burner, Models A, B and E...	23-37-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA	Stuhler Oil Burner.....	618-27-SA
Rayfield Oil Burner.....	504-26-SA	Stuhler Oil Burner, Model R.....	84-36-SA
Real Host Oil Burner.....	38-34-SA	Summerheet Oil Burner.....	581-26-SA
Re-Ly-On Oil Burner.....	745-26-SA	Sundstrand Automatic Oil Burner.....	755-26-SA
Remington Domestic Oil Burner, Type B....	532-31-SA	Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U.....	658-30-SA
Remington Oil Burner.....	891-26-SA	Sunflower Model S-1 Oil Burner.....	657-29-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA	Sunflower Oil Burner, Model S-2.....	587-30-SA
Reynolds Automatic Oil Burner, Model R-G.	440-37-SA	Sun-Glo Oil Burner, Models A, B and E....	23-37-SA
Reynolds Oil Burner, Model GC.....	266-34-SA	Sun Heat Oil Burner.....	603-29-SA
Richfield Oil Burner, Pressure Gun Type....	73-36-SA	Sun-Ray Fuel Oil Burner.....	106-33-SA
Richmond Gravity Fuel Oil Burner.....	1193-22-SA	Sunway Oil Burner.....	624-30-SA
Rickard Oil Burner.....	1011-27-SA	Super Automatic Oil Heater Model SSH...	715-29-SA
Ritz Oil Burner, Model A.....	378-36-SA	Super Automatic Zephyr Oil Burner, Model A	463-31-SA
Rohr Schanck Fuel Oil Burner.....	583-21-SA	Superb Oil Burner, Models A and B.....	86-36-SA
Rotoflame Gem Oil Burner.....	187-33-SA	Superfex Oil Burner, for Warm Air Furnaces, Models 100, 100-E, 101, 101-E, 200, 200-E, 300 and 300-E	400-32-SA
Round Oak Oil Burner.....	343-35-SA	Superheat Oil Burner, Model D.....	254-33-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA	Superior Oil Burner, Models A and H.....	110-36-SA
S. & K. Mechanical Fuel Oil Burner.....	1115-22-SA	Supreme Oil Burner, Model G.....	136-34-SA
S & K Wide Range Fuel Oil Burner.....	10-33-SA	Swirling Heat Oil Burner, Model A-M.....	242-36-SA
S-K Oil Burner, Models F and G.....	369-33-SA	Sword Automatic Oil Burner.....	951-25-SA
S and W Air King Oil Burner.....	493-24-SA	Synco-Flame Oil Burner, Models R and RH	139-35-SA
S. T. Johnson Co. B.H. Oil Burner.....	517-37-SA	Tabor Automatic Oil Heater, Type "D".....	778-28-SA
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA	Thatcher Oil Burner (Gun Type), Models B-1 and B-2	831-39-SA
S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA	Thermoil Oil Burner, Model G1.....	324-36-SA
S. T. Johnson Oil Heat Servant.....	157-34-SA	Thompson-Gould Oil Burner	178-35-SA
Sachem G.B.O. Oil Burner.....	282-33-SA	Thoroburn Oil Burner, Model A-1-16-G....	269-33-SA
Schulse Home Oil Burner.....	1487-23-SA	Timken Oil Burner, Model 20.....	287-28-SA
Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior.....	436-32-SA	Timken Rotary Oil Burner.....	297-29-SA
Sealdheet Oil Burner, Model SH.....	160-36-SA	Timken Silent Automatic Heater (Water Heater Unit) Models 40-A and 50-B....	121-35-SA
Security Oil Burner.....	56-28-SA	Timken Silent Automatic Oil Burner, Model G	266-34-SA
Shepard Oil Burner.....	563-30-SA	Timken Wall Flame Oil Burner, Model F....	497-38-SA
Shill Oil Burner.....	315-30-SA	Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA
Shur-Heat Oil Burner, Models R-15 and R-35	21-36-SA	Todd Rotary Burner, Models A, B and C...	454-25-SA
Silent-Auburn Fuel Oil Burner, Models A, B, C, O, A1 and AA.....	461-31-SA	Todd Rotary Burner and Pump, Types P.A.H. and P.A., and Models A, B, C, C-1 and D	281-37-SA
Silent Automatic Oil Burner.....	458-26-SA	Todd Spiro Oil Burner.....	470-31-SA
Silent Automatic Burner, Model "B".....	709-30-SA	Todd Spiro Burner (pump type).....	94-32-SA
Silent Automatic Burner, Model "E".....	710-30-SA	Toridheet Oil Burner	63-28-SA
		Toridheet Oil Burner, Model G.....	17-35-SA
		Tri-Aire Oil Burner, Model C-3.....	188-36-SA
		Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
Tropic Heat Oil Burner, Model G.....	136-34-SA	Warner Oil Burner, Model A.....	16-34-SA
Twin City-on-the-Door Oil Burner.....	129-27-SA	Wayne Oil Burner.....	1155-25-SA
U and S Oil Burner for Pressing Machine, Models A, B and C.....	331-36-SA	Wayne Domestic Oil Burner, Model K.....	115-32-SA
Uni-Lec-Tric Oil Burner.....	498-29-SA	Wayne S-2 Domestic Oil Burner.....	115-32-SA
United States Gun-type Oil Burner.....	222-35-SA	Webster Oil Burner, Model M.....	172-37-SA
United States Oil Burner.....	620-28-SA	Weco Multi Oil Burner, Low Pressure Type.	24-36-SA
Universal Fuel Oil Burner.....	6-24-SA	Westinghouse "Spiralaire" Oil Burner, Model J	559-39-SA
Universal Oil Burner.....	584-31-SA	Wheco Oil Burner.....	108-34-SA
Vapomatic Oil Burner.....	275-34-SA	White Flame Oil Burner.....	357-35-SA
Vaporoil Burner	44-32-SA	White Heat Oil Burner.....	232-36-SA
Vesta Oil Burner.....	451-26-SA	Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB, R and HP-3.....	918-22-SA
Victor Oil Burner.....	612-30-SA	Windsor Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA
Victory Oil Burner.....	320-30-SA	Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Viking Oil Burner.....	396-32-SA	Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Vitro-Heet Oil Burner, Model MD.....	591-29-SA	Wizard Automatic Oil Burner.....	181-33-SA
Vitro-Heet Pressing Machine Burner, Mod- el MD, sizes KRF and KRF-1.....	354-34-SA	York Automatic Oil Burner.....	44-29-SA
Volcano Automatic Oil Burner.....	556-29-SA	York Bake Oven Oil Burner.....	384-36-SA
Volcano Automatic Oil Burner, Models EW, EW-1, EW-2 and E	341-33-SA	York Horizontal Rotary Oil Burner (Type AP)	56-36-SA
Volcano Automatic Oil Burner, Models D, H and K	234-37-SA	York-Lalor Oil Burner	261-37-SA
Vortex Oil Burner, Type V, Model No. 7....	180-38-SA	Yorktown Oil Burner.....	166-33-SA
Wards Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA	Yorktown Oil Burner, Model A.....	3-35-SA
		Zenith Oil Burner.....	279-34-SA

APPROVED APPLIANCES

APPROVED RANGE OIL BURNERS AND SPACE HEATERS

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly	250-34-SA	Easyway Water Heater, Models H.W.1 and H.W.2	159-35-SA
Aetna Range Oil Burner	29-35-SA	Ellington Range Oil Burner, Square Circulat- ing Heater and Round Circulating Heater	351-34-SA
Aetna Water Heater, Models 6, 7, 9 and 47 W.H.T. and 15 and 16 W.H.T.	148-37-SA	Ellington Range Oil Water Heater, Models M and J	40-35-SA
Air-O-Flame Space Heater, Models 108 and 810 (pot type)	190-35-SA	Estate Oil Heatrola (Oil Burner), Models 821F, 822F, 822FT, 823F, 825FT, 827F, 883F, 884F, 885F, 913F, 913FT, 915F, 917F and 919F	135-39-SA
Air-O-Flame Space Heater, Models 71, 91, 1572 and 1582 (sleeve type)	206-35-SA	Estate Speedex Oil Heater, Models 731, 732, 733, 734, 735 and 737	135-39-SA
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American Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92.....	224-36-SA	Fairfax Range Burner	302-34-SA
Ameroil Oil Burner for Stoves and Ranges..	592-32-SA	Florence Cabinet Heaters, Models CK-1, CK-2, CJ-1, CJ-21 and C-2.....	545-39-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA	Florence Oil Heater, Models KC-9, GC-6, GC-7, GS-27, CH-9, CH-27, CH-28, CH-29, RH-7 and RH-9.....	62-33-SA
Bland Range Oil Burner.....	234-34-SA	Florence Oil Space Heater, Models PH-28, PH-8, PC-8, PC-28, PR-10, PR-81 and PR-82	172-35-SA
Blue Glow Range Oil Burners, Models Su- preme and DeLuxe	308-34-SA	Florence Range Burners	219-34-SA
Brigham Range Oil Burner.....	217-35-SA	Fox Range Oil Burner.....	200-34-SA
Caloroil Range Oil Burner.....	172-34-SA	Frogil Oil Burning Space Heater, Models 182, 274, 284, 294, 487 and 588.....	923-38-SA
Champion Range Oil Burner, Models A and B	291-34-SA		
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Coleman Oil Burning and Space Heater, Models 821A, 822A, 824, 825, 826 and 827	308-36-SA	Hi-Heat Range Burner, Models A and De- Lux	323-34-SA
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Easyway Space Heater, Models CRL19, CRN17, CSP27 and CSP19.....	158-35-SA		

APPROVED APPLIANCES

<i>Name of Burner</i>	<i>Calendar No.</i>	<i>Name of Burner</i>	<i>Calendar No.</i>
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Kres-Kno Range Oil Burner, Model MD. Sizes KR, KRF, KRF-1 and 1R.....	355-34-SA	Ray-Dio Sunshine Range Oil Burner, Models A, Daisy and Water Heater.....	32-31-SA
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National Range Oil Burner	361-34-SA	Tower Range Oil Burner	126-33-SA
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No-Wyck-Koaless Range and Stove Oil Burner	251-34-SA	Victor Circulating Fuel Oil Heater, Models VCH-27, VCH-19 and VCH-17.....	243-36-SA
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APPROVED GAS HEATERS

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

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SEPTEMBER 12, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 12, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 411-39-BZ—Application, March 31, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Violet Bazerman, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

CAL. NO. 721-39-BZ—Application, May 31, 1939, under section 7d of the building zone resolution, of New York Telephone Company, applicant and owner, to permit in a residence use district, the extension of an existing central telephone exchange; premises 182-08 to 182-26 140th avenue, east side, from 182nd street to 183rd street, 140-01 to 140-11 182nd street and 140-02 to 140-10 183rd street (Block No. 3781, Lot No. 1), Springfield Gardens, Borough of Queens.

CAL. NO. 742-39-BZ—Application, June 5, 1939, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of F. D. Koehler Co., Inc., owner, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline service station; premises 1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

CAL. NO. 750-39-BZ—Application, June 7, 1939, under sections 7c and 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of Abraham Finger and Mollie Finger, owners, to permit in a business use district, the extension of and, also, the reconstruction of buildings on an existing gasoline service station; also, the parking of more than five (5) motor vehicles; premises 491-497 East 133rd street, northeast corner of Brown place (Block No. 2261, Lot Nos. 15 and 17), Borough of The Bronx.

CAL. NO. 1222-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Louis Caner, owner, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores); premises 794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

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CAL. NO. 503-38-BZ—Application, June 17, 1938, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Miriam Osborn Memorial Home Association, Inc., Mary T. Howard, Mary Cory and Gertrude Hughes, owners (Arnold C.

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Gordon, lessee), to permit partly in an unrestricted use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2327-2331 Bathgate avenue, west side, 25 ft. south of East 185th street and 2326-2330 Bassford avenue (Block No. 3053, Lot Nos. 28, 31, 32 and 49), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 12, 1939, 2 P. M.

Appeal from Administrative Decision

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Variation of Labor Law

905-39-S—8-10 Fulton street, 1-13 Furman street, southeast corner and 1-11 Doughty street (Block No. 200, Lot No. 1), Borough of Brooklyn.

SEPTEMBER 19, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 19, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 355-39-BZ—Application, March 21, 1939, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of Jeanette E. Thompson and Estate of A. G. Thompson, owners, to permit in a residence use district, the maintenance of garages for the storage of more than three (3) motor vehicles; premises South side of St. Johns avenue, 125 ft. west of Bay street (Block No. 2860, Lot Nos. 20 and 39), Rosebank, Borough of Richmond.

CAL. NO. 178-39-BZ—Application, February 14, 1939, under section 7f of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Buhrman Sand and Gravel Corporation, owner (Colonial Sand and Stone Co., Inc., lessee), to permit in a residence use district, the operation of a sand and gravel pit; premises East side of Douglaston parkway, 951.27 ft. south of 61st avenue (Block No. 8291, Lot No. 1), Douglaston, Borough of Queens.

CAL. NO. 904-38-BZ—Application, October 19, 1938, under sections 7h and 21 of the building zone resolution, of Harry Annabel, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-11 168th place, east side, 100 ft. south of 89th avenue (Block No. 9801, Lot Nos. 46 and 47), Jamaica, Borough of Queens.

CAL. NO. 844-38-BZ—Application, October 4, 1938, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Lena Maria Rasch, owner (William Aaron and Leo Goldberger, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2717-2739 Pitkin avenue, northeast corner of Euclid avenue (Block No. 4214, part of Lot No. 1), Borough of Brooklyn.

CAL. NO. 103-39-BZ—Application, January 27, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of President and Directors of the Manhattan Company, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 196-27 Linden boulevard, northwest corner of 197th street (Block No. 1960, Lot No. 115), St. Albans, Borough of Queens.

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 414-39-BZ—Application, April 1, 1939, under section 21 of the building zone resolution, of Boochever, McManus and Ostrow, applicants, on behalf of Joseph Rosenbaum, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1031-1041 Bedford avenue, southeast corner of Clifton place (Block No. 1793, Lot No. 5), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 19, 1939, 2 P. M.

Appeals from Administrative Decisions

906-39-A—419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan.

916-39-A—54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens.

944-39-A—East Bank of Harlem River, 128 ft. south of West 171st street (Block No. 2541, Lot Nos. 126-132), Borough of The Bronx.

SEPTEMBER 22, 1939, 10 A. M.

SPECIAL MEETING.

Appeals from Administrative Decisions

886-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

CALENDAR

921-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

922-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

SEPTEMBER 26, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 26, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 571-39-BZ—Application, May 5, 1939, under section 21 of the building zone resolution, of David Millman, applicant, on behalf of Benjamin Hershman and Edna Schaar, owners (Herbert Peetz, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 205-217 South First street, north side, 142 ft. east of Driggs avenue (Block No. 2394, Lot Nos. 30, 32, 35 and 37), Borough of Brooklyn.

CAL. NO. 703-38-BZ—Application, August 8, 1939, under section 7h of the building zone resolution, of Alice M. Johnston, applicant, on behalf of J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners (Charles Miller, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.

CAL. NO. 819-38-BZ—Application, September 24, 1938, under sections 7h and 21 of the building zone resolution, of Charles McEvoy, applicant and lessee, on behalf of Charles Jacobs, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 75-01 Broadway, northeast corner of 75th street (Block No. 1486 (499), Lot Nos. 13, 16 and 18), Jackson Heights, Borough of Queens.

CAL. NO. 671-39-BZ—Application, May 22, 1939, under sections 7c and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Artbern Corporation, owner, (Reshen Sons, lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens.

CAL. NO. 903-38-BZ—Application, October 19, 1938, under section 7h of the building zone resolution, of Morris Goldberg, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3066-3076 West 23rd street, northwest corner of Riegelman Boardwalk and 3031 West 24th street (Block No. 7070, Lot Nos. 155, 170, 171, 172, 173 and part of Lot No. 145), Borough of Brooklyn.

CAL. NO. 1041-38-BZ—Application, November 18, 1938, under section 7h of the building zone resolution, of Tenzer, Greenblatt, Fallon and Kaplan, applicants, on behalf of Board of Transportation, City of New York, owner (Midtown Auto Storage Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 335 - 365 Schermerhorn street and 2-8 Third avenue, northwest corner (Block No. 167, Lot No. 36 and part of Lot No. 28), Borough of Brooklyn.

CAL. NO. 1044-38-BZ—Application, November 18, 1938, under section 7h of the building zone resolution, of Tenzer, Greenblatt, Fallon and Kaplan, applicants, on behalf of Board of Transportation, City of New York, A. J. Nutting Corporation and Manpet Realty Co., Inc., owners (Midtown Auto Storage Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 252-304 Schermerhorn street and 51-59 Bond street, southeast corner (Block No. 172, Lot Nos. 7, 10, 13 and 18), Borough of Brooklyn.

CAL. NO. 425-39-BZ—Application, April 5, 1939, under section 7a of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Joseph Serpico, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 807 Metropolitan avenue, north side, 1-5 Bushwick avenue and 18 Maspeth avenue, southeast corner (Block No. 2907, Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 26, 1939, 2 P. M.

Appeals from Administrative Decisions

733-39-A—177-181 Concord street, northeast corner of Duffield street (Block No. 109, Lot No. 25), Borough of Brooklyn.

752-39-A—245 Russell street, northeast corner of Meserole avenue (Block No. 2628, Lot No. 6), Borough of Brooklyn.

873-39-A—110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn.

CALENDAR

884-39-A—81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens.

909-39-A—166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens.

925-39-A—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

969-39-A—168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21 to 28, inclusive), Borough of Brooklyn.

972-39-A—8665-20th avenue, north side, 133 ft. west of Benson avenue (Block No. 6375, Lot No. 7), Borough of Brooklyn.

976-39-A—50 West 225th street, south side, 661 ft. east of Broadway (Block No. 2215, part of Lot No. 700), Borough of Manhattan.

OCTOBER 10, 1939, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowcry and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

386-39-A—41-45 Elliott place, northwest corner of Walton

avenue (Block No. 2842, Lot No. 22), Borough of Brooklyn.

581-39-A—1510 Jessup avenue, east side, 884.8 ft. south of Featherbed lane (Block No. 2872, Lot Nos. 287, 293, 296, 298, 299 and 300), Borough of The Bronx.

OCTOBER 17, 1939, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 17, 1939, at 10 o'clock*, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

EXTRACTS FROM CHAPTER 19, ARTICLE 18 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

ARTICLE 1. General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third ($3\frac{1}{3}$), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, commercial buildings and residence buildings are buildings as so defined by Article 4, C26-235.0 of the Administrative Code of the City of New York.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for

civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

ARTICLE 3. Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:	
Class A systems.....	\$20.00
Class B systems.....	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant.....	1.00

ARTICLE 18. Refrigerating Systems.

C19- 96.0.	Permits.
C26-214.0.	Supervision.
C19- 97.0.	Classification.
C19- 98.0.	Permissible locations.
C19- 99.0.	Refrigerating machinery rooms and ventilation.
C19-100.0.	Open flames and electrical equipment.
C19-101.0.	Testing.
C19-102.0.	Piping.
C19-103.0.	Safety devices.
C19-104.0.	Size of safety devices.
C19-105.0.	Location and discharge of safety devices.
C19-106.0.	Operating precautions.
C19-107.0.	Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

RULES

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $\text{C}_2\text{Cl}_2\text{F}_4$ and monofluorotrichloromethane ("F-11") CFCI_3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Tests pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One $\frac{1}{2}$ inch
30 to 60 "	One $\frac{3}{4}$ "
60 to 100 "	One 1 "
100 to 175 "	One $1\frac{1}{4}$ inches
175 to 250 "	One $1\frac{1}{2}$ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee \$5, and for renewal thereof the sum of \$1 provided application for such renewal be made for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

RULES

§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;

2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;

3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;

4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;

5. A school unless the refrigerating system is used exclusively for instructions or research purposes;

6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height,

and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8") of brick or six inches (6") of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigerating Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb-waiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.

2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in Column E of such table.

3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in Column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Window Mechanical Sq. Ft. Duct Area.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42

RULES

600	1,450	1 1/2	6	45
700	1,630	1 1/2	6 1/2	48
800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10 1/2	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch ($\frac{1}{4}$ ") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a $\frac{3}{4}$ -inch pipe; five heads on a 1-inch pipe; six heads on a $1\frac{1}{4}$ -inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1.	Col. 2.	Col. 3.
	High Pressure Side.	Low Pressure Side. With Safety Valves.	Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure side.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia

RULES

emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO ₂ and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1—1½"	1—1½"
30 to 60 tons.....	1—1½"	1—¾"
60 to 100 tons.....	1—1½"	1—1"
100 to 175 tons.....	1—1½"	1—1¼"
175 to 250 tons.....	1—¾"	1—1½"
250 to 450 tons.....	1—1"	1—2"
450 to 900 tons.....	.....	2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

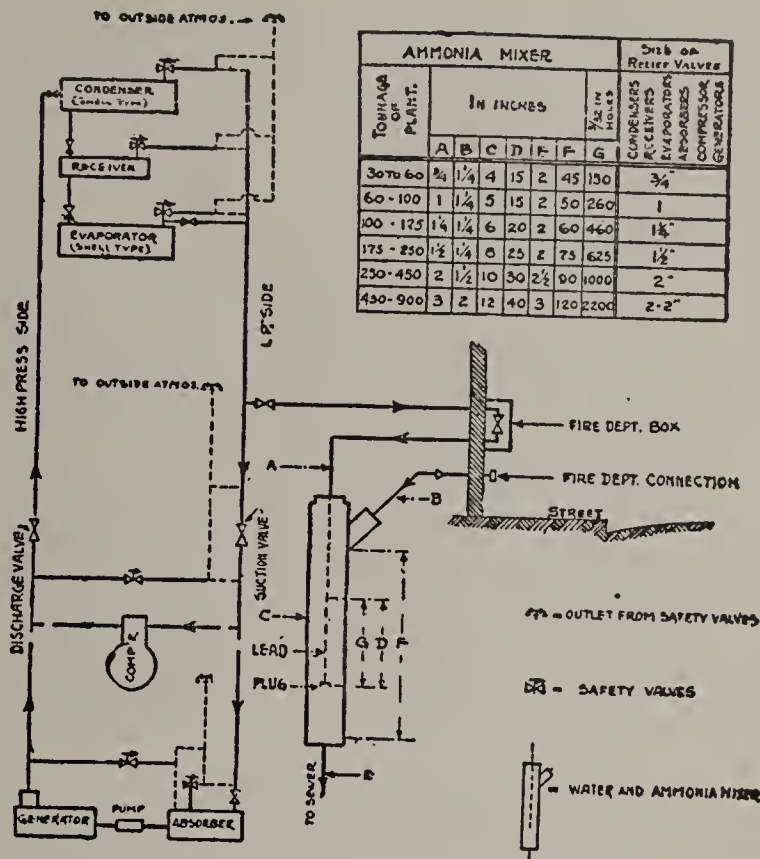
§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

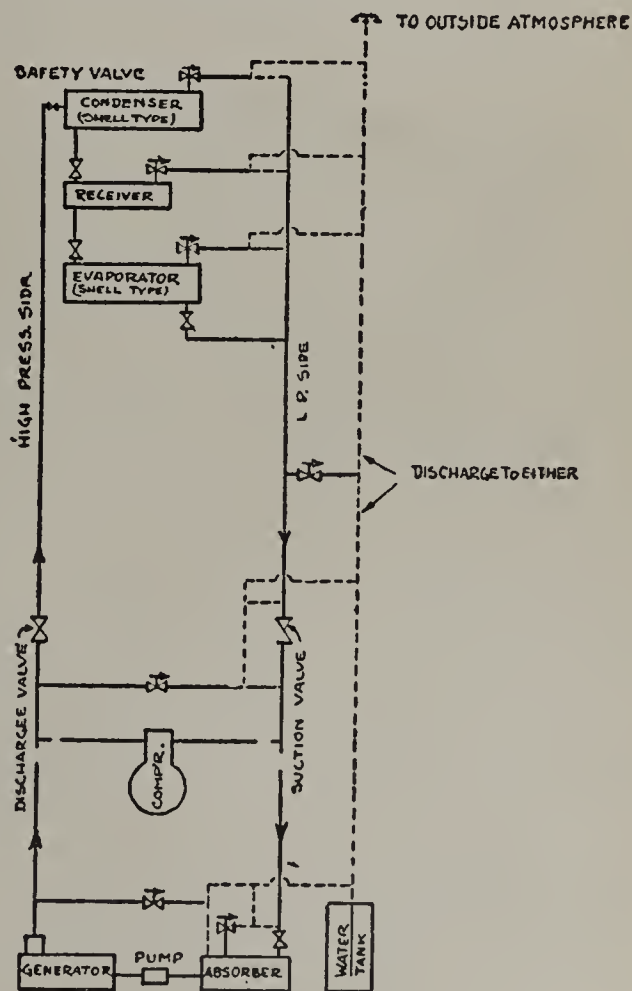
A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'A' EQUIPMENT
SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'B' EQUIPMENT
SECTION C19-107.0

RULES

system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO₂ systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth ($\frac{1}{8}$) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half ($\frac{1}{2}$) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant re-

frigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches ($1\frac{1}{2}$ ") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least $8\frac{1}{2}$ " by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

ARTICLE 27.

Penalties.

§C19-152.0. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or by both.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 37

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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Rules Directory.

The Hearing Calendar.

Interior Fire Alarm Rules.

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1084-39-SM.....	Mississippi	Standard Mesh Wire Glass and Misco Wire Glass, manufactured by Mississippi Glass Company, Material.
1085-39-SA.....	Automatic Gas Range Igniter Company	Automatic Lighter, Appliance.
1086-39-A.....	F.D.....	101 West 80th street, west side, 51 ft. 2 in. west of Columbus avenue (Block No. 1211, Lot No. 29), Borough of Manhattan, Decision re 5289-L.F.
1087-39-A.....	H.B.M.....	447-459 West 26th street, north side, 125 ft. east of Tenth avenue (Block No. 724, Lot Nos. 7 to 10 inclusive), Borough of Manhattan, Revocation of Certificate of Occupancy No. 23772-38 and Permit No. 2759.
1088-39-A.....	F.D.....	306 West 102nd street, south side, 125 ft. west of West End avenue (Block No. 1889, Lot No. 64), Borough of Manhattan, 5366-L.F.
1089-39-A.....	F.D.....	1111-1113 Avenue U, north side, 80.74 ft. east of Coney Island avenue (Block No. 7315, Lot No. 44), Borough of Brooklyn, Decision re 2782-L.F.
1090-39-SM.....	Atlantic	Poured Concrete Blocks, manufactured by Atlantic Poured Stone and Block Company, Material.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.L.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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	<i>Last Publication in Bulletin</i>
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ing Equipment.....	July 11, 1939—Vol. 24, No. 28
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SEPTEMBER 12, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 12, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 411-39-BZ—Application, March 31, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Violet Bazerman, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

CAL. NO. 721-39-BZ—Application, May 31, 1939, under section 7d of the building zone resolution, of New York Telephone Company, applicant and owner, to permit in a residence use district, the extension of an existing central telephone exchange; premises 182-08 to 182-26 140th avenue, east side, from 182nd street to 183rd street, 140-01 to 140-11 182nd street and 140-02 to 140-10 183rd street (Block No. 3781, Lot No. 1), Springfield Gardens, Borough of Queens.

CAL. NO. 742-39-BZ—Application, June 5, 1939, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of F. D. Koehler Co., Inc., owner, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline service station; premises 1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

CALENDAR

CAL. NO. 750-39-BZ—Application, June 7, 1939, under sections 7c and 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of Abraham Finger and Mollie Finger, owners, to permit in a business use district, the extension of and, also, the reconstruction of buildings on an existing gasoline service station; also, the parking of more than five (5) motor vehicles; premises 491-497 East 133rd street, northeast corner of Brown place (Block No. 2261, Lot Nos. 15 and 17), Borough of The Bronx.

CAL. NO. 1222-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Louis Caner, owner, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores); premises 794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

CAL. NO. 1224-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Max Shifrin, owner, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 695-697 New Lots avenue, north side, 21 ft. 1 in. west of Jerome street (Block No. 4091, Lot No. 16), Borough of Brooklyn.

CAL. NO. 503-38-BZ—Application, June 17, 1938, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Miriam Osborn Memorial Home Association, Inc., Mary T. Howard, Mary Cory and Gertrude Hughes, owners (Arnold C. Gordon, lessee), to permit partly in an unrestricted use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2327-2331 Bathgate avenue, west side, 25 ft. south of East 185th street and 2326-2330 Bassford avenue (Block No. 3053, Lot Nos. 28, 31, 32 and 49), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 12, 1939, 2 P. M.

Appeal from Administrative Decision

698-39-A—115-23 Jamaica avenue and 86-28 116th street, northwest corner (Block No. 192, Lot Nos. 20 and 21), Richmond Hill, Borough of Queens.

Variation of Labor Law

905-39-S—8-10 Fulton street, 1-13 Furman street, southeast corner and 1-11 Doughty street (Block No. 200, Lot No. 1), Borough of Brooklyn.

SEPTEMBER 19, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 19, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 355-39-BZ—Application, March 21, 1939, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of Jeanette E. Thompson and Estate of A. G. Thompson, owners, to permit in a residence use district, the maintenance of garages for the storage of more than three (3) motor vehicles; premises South side of St. Johns avenue, 125 ft. west of Bay street (Block No. 2860, Lot Nos. 20 and 39), Rosebank, Borough of Richmond.

CAL. NO. 178-39-BZ—Application, February 14, 1939, under section 7f of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Buhrman Sand and Gravel Corporation, owner (Colonial Sand and Stone Co., Inc., lessee), to permit in a residence use district, the operation of a sand and gravel pit; premises East side of Douglaston parkway, 951.27 ft. south of 61st avenue (Block No. 8291, Lot No. 1), Douglaston, Borough of Queens.

CAL. NO. 904-38-BZ—Application, October 19, 1938, under sections 7h and 21 of the building zone resolution, of Harry Annabel, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-11 168th place, east side, 100 ft. south of 89th avenue (Block No. 9801, Lot Nos. 46 and 47), Jamaica, Borough of Queens.

CAL. NO. 844-38-BZ—Application, October 4, 1938, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Lena Maria Rasch, owner (William Aaron and Leo Goldberger, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2717-2739 Pitkin avenue, northeast corner of Euclid avenue (Block No. 4214, part of Lot No. 1), Borough of Brooklyn.

CAL. NO. 103-39-BZ—Application, January 27, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of President and Directors of the Manhattan Company, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 196-27 Linden boulevard, northwest corner of 197th street (Block No. 1960, Lot No. 115), St. Albans, Borough of Queens.

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CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 414-39-BZ—Application, April 1, 1939, under section 21 of the building zone resolution, of Boochever, McManus and Ostrow, applicants, on behalf of Joseph Rosenbaum, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1031-1041 Bedford avenue, southeast corner of Clifton place (Block No. 1793, Lot No. 5), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 19, 1939, 2 P. M.

Appeals from Administrative Decisions

906-39-A—419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan.

916-39-A—54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens.

944-39-A—East Bank of Harlem River, 128 ft. south of West 171st street (Block No. 2541, Lot Nos. 126-132), Borough of The Bronx.

SEPTEMBER 22, 1939, 10 A. M.

SPECIAL MEETING.

Appeals from Administrative Decisions

886-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

921-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

922-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

SEPTEMBER 26, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 26, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 571-39-BZ—Application, May 5, 1939, under section 21 of the building zone resolution, of David Millman, applicant, on behalf of Benjamin Hershman and Edna Schaar, owners (Herbert Peetz, lessee), to permit in a business use district, for

a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 205-217 South First street, north side, 142 ft. east of Driggs avenue (Block No. 2394, Lot Nos. 30, 32, 35 and 37), Borough of Brooklyn.

CAL. NO. 703-38-BZ—Application, August 8, 1939, under section 7h of the building zone resolution, of Alice M. Johnston, applicant, on behalf of J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners (Charles Miller, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.

CAL. NO. 819-38-BZ—Application, September 24, 1938, under sections 7h and 21 of the building zone resolution, of Charles McEvoy, applicant and lessee, on behalf of Charles Jacobs, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 75-01 Broadway, northeast corner of 75th street (Block No. 1486 (499), Lot Nos. 13, 16 and 18), Jackson Heights, Borough of Queens.

CAL. NO. 671-39-BZ—Application, May 22, 1939, under sections 7c and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Artbern Corporation, owner, (Reshen Sons, lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens.

CAL. NO. 903-38-BZ—Application, October 19, 1938, under section 7h of the building zone resolution, of Morris Goldberg, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3066-3076 West 23rd street, northwest corner of Riegelman Boardwalk and 3031 West 24th street (Block No. 7070, Lot Nos. 155, 170, 171, 172, 173 and part of Lot No. 145), Borough of Brooklyn.

CAL. NO. 1041-38-BZ—Application, November 18, 1938, under section 7h of the building zone resolution, of Tenzer, Greenblatt, Fallon and Kaplan, applicants, on behalf of Board of Transportation, City of New York, owner (Midtown Auto Storage Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5)

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motor vehicles; premises 335 - 365 Schermerhorn street and 2-8 Third avenue, northwest corner (Block No. 167, Lot No. 36 and part of Lot No. 28), Borough of Brooklyn.

CAL. NO. 1044-38-BZ—Application, November 18, 1938, under section 7h of the building zone resolution, of Tenzer, Greenblatt, Fallon and Kaplan, applicants, on behalf of Board of Transportation, City of New York, A. J. Nutting Corporation and Manpet Realty Co., Inc., owners (Midtown Auto Storage Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 252-304 Schermerhorn street and 51-59 Bond street, southeast corner (Block No. 172, Lot Nos. 7, 10, 13 and 18), Borough of Brooklyn.

CAL. NO. 425-39-BZ—Application, April 5, 1939, under section 7a of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Joseph Serpico, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 807 Metropolitan avenue, north side, 1-5 Bushwick avenue and 18 Maspeth avenue, southeast corner (Block No. 2907, Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 26, 1939, 2 P. M.

Appeals from Administrative Decisions

- 733-39-A—177-181 Concord street, northeast corner of Duffield street (Block No. 109, Lot No. 25), Borough of Brooklyn.
- 752-39-A—245 Russell street, northeast corner of Meserole avenue (Block No. 2628, Lot No. 6), Borough of Brooklyn.
- 873-39-A—110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn.
- 884-39-A—81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens.
- 909-39-A—166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens.
- 925-39-A—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

969-39-A—168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21 to 28, inclusive), Borough of Brooklyn.

972-39-A—8665-20th avenue, north side, 133 ft. west of Benson avenue (Block No. 6375, Lot No. 7), Borough of Brooklyn.

976-39-A—50 West 225th street, south side, 661 ft. east of Broadway (Block No. 2215, part of Lot No. 700), Borough of Manhattan.

OCTOBER 10, 1939, 2 P. M.

Appeals from Administrative Decisions

- 697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.
- 696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.
- 386-39-A—41-45 Elliott place, northwest corner of Walton avenue (Block No. 2842, Lot No. 22), Borough of Brooklyn.
- 581-39-A—1510 Jessup avenue, east side, 884.8 ft. south of Featherbed lane (Block No. 2872, Lot Nos. 287, 293, 296, 298, 299 and 300), Borough of The Bronx.

OCTOBER 17, 1939, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 17, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES GOVERNING THE INSTALLATION OF INTERIOR FIRE ALARM SIGNAL SYSTEMS, ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, SEPTEMBER 27, 1917, AMENDED DECEMBER 6, 1917 AND FEBRUARY 7, 1918 AND REVISED DECEMBER 11, 1936.

[108-16-SR]

Rules for Interior Fire Alarm Signal Systems

Authority: Sections 718A and 718B of the Charter of the City of New York to carry into effect the provisions of Chapter 19—487E, Administrative Code and the provisions of Section 279 of the Labor Law.

Scope of Rules

These rules apply to all hotels, as defined in the Administrative Code and the Multiple Dwelling Law; to all lodging houses having more than 15 sleeping rooms, or accommodating more than 15 lodgers above the first or ground story; to all public and private hospitals and asylums having more than 15 rooms, or accommodating more than 15 patients or inmates above the first or ground story; to all nurseries accommodating more than 30 children, or having a Board of Health permit for the accommodation of more than 30 children; to all Turkish or other special treatment bath houses where there are sleeping accommodation for more than fifteen persons on the premises; to all department stores having two or more departments where the public is admitted above the second floor; to all public schools; and to all single and tenant factory buildings, as defined in the Labor Law and specifically required by Section 279 of said Law.

Law

Section 279. Fire Alarm Signal Systems and Fire Drills:

1. Fire alarm signal systems. Every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor shall be equipped by the owner thereof with a fire alarm signal system having a sufficient number of signals clearly audible to all occupants of the building, and so arranged as to permit the sounding of all the alarms within the building whenever the alarm is sounded in any portion thereof. Such system shall be maintained in good working order and no person shall tamper with same or render ineffective any portion thereof except to repair it. A person discovering a fire shall cause an alarm to be sounded immediately. The board of standards and appeals in the city of New York, may make rules and regulations prescribing the number, character and location of the signals and the method and character of the installation, including that of all appliances in connection therewith.

3. Exceptions. Subdivisions one and two of this section shall not apply to a building in which every square foot of the floor area on all stories is protected with an automatic sprinkler system, having two adequate sources of water supply and approved by the public authorities having jurisdiction thereof, and in which also the maximum number of occupants of any one floor does not exceed by more than fifty percentum the capacity of the exits, as determined by subdivisions one, two and three of section two hundred and seventy-eight, in addition to the prescribed occupancy under subdivisions five, six and seven of said section. If the commissioner after investigation determines that the spirit of this chapter is observed and public safety secured, he may permit in place of the automatic sprinkler system before specified, an automatic sprinkler system having one adequate source of water supply and approved by the public authorities having jurisdiction thereof.

Chapter 19—487E-2.0.c.1.

Interior Fire Alarms:—In every hotel, lodging-house, public or private hospital or asylum, department store, and public school, there shall be placed and provided, when required by the fire commissioner, an adequate and reliable electrical or other interior alarm system, to be approved by the said commissioner, by means of which alarms of fire or other danger may be instantly communicated to every portion of the building. The fire alarm apparatus and all other appliances placed or kept within any of such buildings for the purpose of preventing or extinguishing fires, or for affording means of escape therefrom in case of fire, shall be kept at all times in good working order and proper condition for immediate use, and any member of the uniformed force or authorized representative of the Fire Department may enter any of the said buildings at any time, for the purpose of inspecting such apparatus or appliances.

Rule 1. Definition of Terms

- 1.1 The term "non-coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric alternating current circuits, so arranged that the operation of any station will automatically sound the signaling devices throughout all portions of the building.
- 1.2 The term "coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric circuits which transmits rounds of coded signals to indicate the floor or portion of the same from which the alarm was sent.
- 1.3 The term "heretofore" shall mean before December 31, 1936.
- 1.4 The term "hereafter" shall mean after December 31, 1936.
- 1.5 The term "approved" shall mean approved by the Board of Standards and Appeals.
- 1.6 The term "commissioner" shall mean the Fire Chief and Commissioner of the fire department specifically charged with the enforcement of law relating to interior fire alarm systems in the City of New York.

Rule 2. General

- 2.1 All fire alarm signal systems and devices shall be approved by the Board of Standards and Appeals.
- 2.2 All devices and equipment that have been approved by the Board, shall have securely fastened thereon, a manufacturer's plate bearing the words "Approved by the Board of Standards and Appeals—No....", together with any other electrical data that the Commissioner may require.

Rule 3. Examination and Approval of Plans

- 3.1 Before the installation or extension of any fire alarm system, specifications and plans thereof, showing complete details of the proposed installation, shall be submitted by the owner or his agent to the Commissioner for examination and approval.

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Rule 4. Classification

- 4.1 Fire alarm signal systems shall be classified as follows:
- (a) Non-coded closed circuit fire alarm systems.
 - (b) Coded closed circuit fire alarm systems.
- 4.1.1 The code numbers that are used shall be submitted for approval to the Commissioner and shall be sounded at least four (4) times for each operation of the sending station.
- 4.2 A non-coded closed circuit system shall be so arranged that the operation of any station will automatically sound the signaling devices until hook is restored to its original position; and in the break-glass type until the glass has been replaced.
- 4.3 Coded closed circuit systems shall be divided into three (3) classes:
- Class 1—General Systems.
 - Class 2—Pre-signal or dual operation systems.
 - Class 3—Unit and general systems—or Duplex systems.
- 4.4 Class 1 system shall be a general alarm system or the coded closed circuit type so arranged that the operation of any station will cause the signaling devices to sound the code number of that station at least four (4) times throughout the entire building.
- 4.5 Class 2 system shall be a pre-signal or dual operation system of the coded closed circuit type so arranged that the operation of any station will cause the sounding of the signaling devices located in the engine room, elevator shafts, basement or other places in the building where the members of the fire brigade work or assemble.
- 4.5.1 Approved means shall be provided at each station, so arranged that a subsequent operation of any station shall cause the sounding of all signaling devices throughout the building.
- 4.5.2 This subsequent operation shall be performed with the aid of a key or plug designed so as to prevent unauthorized sounding of the general alarm.
- 4.5.3 The pre-signal or dual operation key or plug shall be so designed that it can be readily identified by the person whose duty it would be to use same.
- 4.6 Class 3 system shall be a unit and general alarm or Duplex system of the coded closed circuit type so arranged that the operation of a station within a unit will cause all of the signaling devices in that unit and all of the signaling devices on the general alarm circuit to sound the code numbers of the unit and zone at least four (4) times.
- 4.6.1 An approved register and time stamp may be used in connection with a Class 3 system when approved by the Commissioner.
- 4.6.2 The register, if of closed circuit type, shall be operated from a separate closed circuit control board or from separate panel isolated by barrier from main control panel in main control board cabinet.
- 4.6.3 Approved closed circuit trouble and unit annunciators shall be installed as part of all Class 3 systems when required by the Commissioner.
- 4.7 Special systems shall include a complete Class 1, 2 or 3 system supplemented by special circuits for the operation of other fire alarm devices in

the systems; or electric control systems for stopping machinery, closing doors or ventilators as may be required by the Commissioner; or to call the central station of a private operating company or the fire department. Automatic fire detecting systems may be connected to operate an interior fire alarm system when connected thereto by an approved coded transmitter. In no case shall the transmitter be considered to replace the standard approved interior fire alarm station, except where a transmitter has been approved for both purposes. The special control circuits shall be separate and distinct from the fire alarm system but shall be brought into action whenever the fire alarm system is set in operation.

Rule 5. Systems Permitted in Factory and Other Buildings

- 5.1 Non-coded closed circuit fire alarm signal systems shall be permitted only in a factory building not exceeding five (5) stories in height having not more than twenty-five hundred (2500) square feet in area in any one story and having not more than one hundred (100) persons in a single factory; nor more than fifty (50) persons in a multiple tenant factory above the first or ground floor.
- 5.2 Coded closed circuit systems shall be required in a factory building exceeding the requirements of Rule 5.1.
- 5.3 Special fire alarm signal systems shall be permitted in factory buildings at the direction of the Commissioner.
- 5.4 Coded closed circuit systems shall be required in all other types of buildings requiring an interior alarm system.

Rule 6. Installation and Construction Requirements

- 6.1 All work in connection with the installation of a fire alarm signal system shall be performed in a neat and workmanlike manner to the satisfaction of the Commissioner.
- 6.2 In any fire alarm system there shall be not more than fourteen (14) direct nor more than ten (10) alternating current gongs or other approved sounding devices connected in one circuit.
- 6.3 There shall not be in any fire alarm system more than twenty (20) stations connected to one circuit or loop.
- 6.4 All gongs and signaling devices shall be located not less than eight (8) feet to the center above the floor.
- 6.5 All fire alarm stations shall be located five (5) feet three (3) inches from handle to floor.
- 6.6 An approved instruction card properly marked and framed under glass shall be installed at each fire alarm station.
- 6.7 All materials and devices used in fire alarm signal systems shall be securely fastened in position in a manner satisfactory to the Commissioner.
- 6.8 For fastening to masonry walls, through bolts, metal expansion shields or toggle bolts shall be used.
- 6.9 Wood screws shall be used for fastening equipment to wood surfaces.
- 6.10 The use of nails or wood or fibre plugs is prohibited.
- 6.11 When fire alarm apparatus is mounted upon a wooden back board, such back board shall be not less than seven-eighths ($\frac{7}{8}$) inch thick, impregnated with a non-absorptive compound. The back

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board shall be so mounted as to provide an air space of at least one-quarter ($\frac{1}{4}$) inch between the back board and the wall for free circulation of air.

- 6.12 All electrical conductors shall be installed in standard heavy wall, rigid iron or steel conduits protected with an approved rust preventive. Armored cable or flexible conduits will not be accepted.
- 6.13 All conduits shall be grounded to a water pipe by approved ground clamps with a conductor equal to the largest conductor used on the system and the smallest size ground conductors used shall not be less than No. 10 B. & S. gauge.
- 6.14 Splices in electrical conductors in vertical risers shall not be permitted. Splices when necessary in horizontal runs, shall be made in approved junction boxes and shall be properly soldered and taped. The cover of the junction box shall be painted fire department red to indicate that it contains splices. The use of wire nuts or other solderless splicing devices shall not be permitted.
- 6.15 Electrical conduits shall enter only at the side or the bottom of the control cabinet.
- 6.16 In coded fire alarm systems using break glass type stations, at least one (1) extra glass shall be provided for each station in the system.
- 6.17 All openings in walls, floors or ceilings where conduits pass through, shall be properly fire stopped.
- 6.18 Conduits shall contain only conductors used in connection with the fire alarm system.
- 6.19 When special care is taken to insure the wires against injury, four (4) wires may be placed in one-half ($\frac{1}{2}$) inch rigid iron conduits. Conductors shall consist of not less than No. 14 B. & S. gauge copper wire, having rubber insulation wall not less than three-sixty-fourths ($\frac{3}{64}$) inch thick.
- 6.20 Where necessary to assure reliable service, connections of conductors to terminals or binding posts shall be soldered. The use of a blow torch for soldering connections to terminals shall not be permitted.
- 6.21 Where wires pass underground from one building to another, they shall be enclosed in conduits and shall be lead encased. Wires between buildings, when not run in conduit, shall be at least equivalent in conductivity and tensile strength to No. 8 B. & S. gauge copper wire for box and signaling circuits and shall be supported at least every seventy-five (75) feet on approved glass insulators and brackets, and be protected by approved lightning arrestors when required by the Commissioner. As far as possible, they shall be run under, rather than over, electric light or power wires.

Rule 7. Sending Stations

- 7.1 There shall be at least one (1) fire alarm sending station in each story of any building requiring a manual fire alarm signal system, located in a natural path of escape from fire at a readily accessible location designated by the Commissioner, which always shall be kept unobstructed. Additional sending stations shall be installed so that no point on any floor in a non-fireproof building shall be more than one hundred (100) feet distant from the nearest sending station upon such floor. In fireproof or sprinklered buildings, the distance shall not be more than one hundred and fifty (150) feet.

Rule 8. Sounding Devices

- 8.1 Sounding devices shall be sufficient in number to be clearly audible to all the occupants of the building.

Rule 9. Sub-divided Buildings

- 9.1 Where a building is sub-divided by fire walls, each section shall be deemed a separate building for the purpose of fire alarm signal system installations. One control board may be used, if so arranged, as to operate the signaling devices in each section of the building independently; or may be operated as one unit when deemed necessary by the Commissioner.

Rule 10. Mixed Occupancy

- 10.1 In buildings requiring fire alarm signal systems, of which parts are occupied by other than factory tenants and in which the conditions of construction and occupancy warrant the establishment of a local fire brigade, the Commissioner may accept dual operation systems.

Rule 11. Existing Installations

- 11.1 Fire alarm signal systems heretofore installed in buildings in the City of New York and installed in accordance with the rules then in force, shall be accepted as long as they are maintained in proper working order.

Rule 12. Sources of Electrical Energy

- 12.1 Sources of electrical energy used in operating fire alarm signal systems shall be:
 - 1. Generated electric power, not exceeding a potential of 250 volts, including:
 - (a) Central Stations
 - (b) Isolated Plants
 - 2. Storage battery power
 - 12.1.1 Either source of power shall be used under conditions and limitations as set forth by the Commissioner.
- 12.2 One source of energy shall be connected to the fire alarm system at all times. All auxiliary sources of energy when required shall be so arranged and controlled by an automatic switch that when the primary source of energy fails, the secondary source will be automatically connected to the fire alarm signal system. Intermediate devices are prohibited between the fire alarm control board and the source of current supply, except where specifically approved by the board for the purpose intended.
 - Central Stations*
- 12.3 When the energy for a fire alarm signal system is supplied by a central station power system it shall be accepted as the sole source of supply; connections shall be made on the street side of the service switch except that in cases where the master meter is within thirty (30) feet of the main switch of the premises, permission may be given by the Commissioner to connect to the house side of the meter when a certificate of recent date from an authority of competent jurisdiction has certified that the electrical wiring throughout the premises is in a safe condition. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

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Isolated Plants

- 12.4 Energy from isolated electric light and power plants shall be used for fire alarm signal systems only when there is a more than one generating unit and the plant is always in operation when the building is occupied. When only one generator unit is employed, the source of energy shall be supplemented by storage battery or other auxiliary service. The fire alarm service connection shall be taken from the main bus of the house switchboard and installed in accordance with the service requirements under central stations. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

Storage Battery

- 12.5 When a storage battery equipment is used as the sole source of current for a fire alarm signal system, the storage battery shall be provided in duplicate; or an approved type trickle charger may be substituted for the duplicate storage battery located in a room sufficiently ventilated. Such installations shall be equipped with a switchboard or panel of approved material on which are mounted volt meters, ammeters, circuit breakers, fuses, resistances, switches, starting devices for motors, field rheostats for generator and other apparatus required for charging and operating the battery.
- 12.6 Storage batteries shall be so located and ventilated as to avoid danger of sparking contacts igniting flammable gases or vapors. In no case shall a storage battery be located in the same room with a gas meter.

Rule 13. Acceptance Test

- 13.1 Upon completion of a fire alarm signal system and as a condition of acceptance, a test of the entire installation shall be made under the direction of the Commissioner.
- 13.2 All systems shall show an insulation resistance of not less than ten (10) megohms with signaling apparatus disconnected.
- 13.3 The owner or contractors shall furnish all the necessary tools, instruments and labor to conduct this test when required by the Commissioner. The contractor shall notify the Department having jurisdiction in writing at the start and upon completion of the installation.

Rule 14. Daily and Monthly Test

- 14.1 Every fire alarm system shall be tested each morning immediately after the hours of starting work. No such system shall be used for any other purpose, except that the daily dismissal signals may be given if authorized by the Commissioner. The use of the system for fire drill purposes may be considered a test of those parts of the system actually used.
- 14.2 Each sending station shall be tested at least once a month.
- 14.3 All apparatus requiring winding shall be rewound after each operation and kept in normal condition.
- 14.4 A complete record of monthly tests, fire drills and other operations of fire alarm systems shall be kept subject to inspection by the Commissioner.

Rule 15. Maintenance

- 15.1 Interior fire alarm systems shall be maintained in operating condition at all times, unless the buildings are vacated for a period longer than one week. If the system becomes inoperative at any time, it shall be the duty of the owner or the person designated by him to be in charge of the system to notify all the occupants of the building and to take immediate steps to have the system restored to working order. He shall also place cards on the fire alarm boxes indicating that the system is out of order.
- 15.2 If, for any reason, it becomes necessary to disconnect the source of current of any system, the owner or other responsible person shall notify the Commissioner in advance of such disconnection, stating the reason therefor.
- 15.3 In systems using break glass type stations, at least one (1) extra glass for each station in the system shall be kept on the premises.

Rule 16. Alarm Boxes

- 16.1 In fire alarm signal systems the metal case enclosing exposed or surface alarm boxes shall be of cast iron and drilled and tapped to receive the conduit. When exposed to moisture the box shall be enclosed in a suitable weather-proof outer shell. In new buildings, approved back boxes embedded in the wall may be used and the conduits shall be properly secured by lock nuts and bushings.
- 16.2 All current carrying parts shall be insulated from parts of opposite polarity with approved insulating material.
- 16.3 All coded pull lever type stations shall be fitted with a door to protect the pull lever against accidental injury. Such door shall have a handle rigidly secured thereon and be so constructed as to open readily. The wording "In Case of Fire Open Door and Pull Down Lever" in raised letters or equivalent instructions shall appear on the door.
- 16.4 All break-glass type fire alarm boxes shall be provided with suitable hammers on chains of approved type attached to or near the boxes with which the glass can readily be broken; or other methods may be used to break the glass when approved by the Commissioner.
- 16.5 All break-glass boxes shall have in raised letters on the fronts, the words "Fire Alarm—In Case of Fire Break Glass," and such additional instructions as may be necessary to send an alarm.
- 16.6 The box or station shall be so designed that once started, the proper transmission of a complete set of signals cannot be interfered with by manipulation of its starting device.
- 16.7 Each closed circuit coded box or station shall be arranged to send a definite code of signals to indicate the floor or portion of same on which it is located.
- 16.8 Not less than three (3) or more than twenty (20) taps or blasts shall be given at each revolution of the code wheel.
- 16.9 The code wheel shall revolve at least four (4) times for each operation of its starting device and be of metal properly insulated from ground.
- 16.10 Boxes or stations used in systems in which whistles, vibrating bells or horns are employed shall be so timed that the sounding devices will give the code signal clearly.
- 16.11 Contact points shall be in multiple.
- 16.12 Contact points and contacts of the testing devices

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shall be of silver or other approved material and be of the scraping type, secured in a substantial manner to phosphor bronze or other approved material springs, and be so designed as to positively break a circuit carrying one-tenth (1/10) ampere at two hundred and fifty (250) volts under actual working conditions.

- 16.13 Lever boxes shall be so designed as to automatically wind when the lever is pulled for an alarm. Boxes requiring glass replacements shall be so arranged that replacement cannot be made without resetting mechanism for another alarm.
- 16.14 Where it becomes necessary to install more than one set of contacts operating from code wheel, permission in writing in advance must be obtained from the Commissioner. This shall not include pre-signal features.
- 16.15 The box shall have plainly marked thereon its code signal number.

Rule 17. Non-Coded Boxes

- 17.1 Non-coded closed circuit fire alarm stations may be operated by a break-glass or pull lever device so arranged that the alarm cannot be interfered with except by resetting or replacement of the glass by an authorized person.
- 17.2 The construction and materials shall be equal to that of the standard approved type coded closed circuit station except that the contacts shall be of ample capacity to safely carry the entire operating current of the gong circuit without excessive heating.

Rule 18. Station Testing Devices

- 18.1 Each fire alarm system shall be provided with an auxiliary device to test the signaling devices, located in one of the alarm boxes or mounted on the control board. Such testing devices shall be arranged to make the test without operating the break wheel of the box or interfering with the dual operating feature.
- 18.2 Provision shall be made for a silent test of coded alarm box mechanisms without operating the signaling devices. Such device shall be designed to prevent any persons except those in authority from operating the same and to prevent the possibility of the box being left inoperative after the test.

Rule 19. Supervising Current

- 19.1 A small current flow to constantly supervise each circuit shall be maintained. A milliammeter, or other approved current indicator shall be provided and so connected as to indicate the supervising current.
- 19.2 The supervising circuit shall be provided with a trouble bell operating on open circuit arranged to ring continuously in case of failure of the system. The trouble bell shall be so located that it will be within audible range of some responsible person in the building and shall be connected to the electric light or power service in the building. Permission may be granted by the Commissioner to connect the trouble bell to a battery of approved type.
- 19.3 Trouble bells shall not be fitted with silencing switches except in such a manner that the act of silencing the bell by the operation of the switch, automatically and positively transfers the trouble signal to a red lamp on the control board fed by some auxiliary source of current supply. This auxiliary source of current shall be a house lighting circuit or any other approved source.

- 19.4 The trouble bell shall be of an approved design of the vibrating type and give a distinctive signal.

Rule 20. Protection of Sending and Sounding Devices

- 20.1 In fire alarm signal systems, all moving parts of sending stations and sounding devices shall be enclosed in metal casings, made dust-proof and damp-proof when necessary, and clearly marked with instructions for use.
- 20.2 Whenever necessary, hammer rods of gongs shall be suitably protected against mechanical injury or derangement by the use of a guard or other suitable means. If subject to mechanical injury, the entire device shall also be enclosed in a protecting case made of approved wire netting or perforated metal. All casings shall be insulated from current carrying parts, but shall be grounded to the conduit.

Rule 21. Standards of Electric Alarm Apparatus

- 21.1 All electrically actuated apparatus used in fire alarm systems shall be so designed and constructed that it will operate satisfactorily at a current flow of twenty-five (25) per cent above or below the normal operating current.

Insulation

- 21.2 Insulating materials used in electric fire alarm signal systems shall be varnished cambric, bakelite, mica or other approved insulating material.
 - 21.2.1 The use of fibre or paper as an insulating material for fire alarm signal systems shall not be permitted.
- 21.3 The insulating material used on electric fire alarm signal systems shall be capable of withstanding an insulation break-down test of one thousand (1000) volts A. C. plus twice operating voltage applied for one (1) minute.

Electro-Magnets

- 21.4 Electro-magnet windings shall be impregnated with an insulating moisture repelling compound or shall be of silk enameled wire.
- 21.5 Electro-magnet coils to be used on alternating current when composed of enameled wire shall have an additional approved insulation on each wire. The coils may be of the form wound type.
- 21.6 A protective cover to prevent mechanical injury shall be provided over the entire coil.
- 21.7 Electro-magnet coils shall be securely fastened to prevent floating.
- 21.8 Electro-magnet cores shall be of the best grade of ferrous material so as to reduce to a minimum the possibility of failure due to residual magnetism.
- 21.9 Electro-magnet cores for use on alternating current shall be of laminated construction or other approved method to prevent heating and promote efficiency.
- 21.10 Electro-magnet cores of relays and gongs shall be treated to prevent corrosion.
 - 21.10.1 Paint or varnish for this purpose shall not be used.
- 21.11 Non-magnetic freeze pins shall be used which will prevent two magnet surfaces coming in actual contact.

Gongs

- 21.12 Gong shells shall be pinned to prevent turning and then securely fastened to its support by a machine cap screw at least three-eighths ($\frac{3}{8}$) inch in diameter.

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21.13 Gong shells shall be covered with an approved rust preventive.

21.14 The gong shell support and gong frames shall be cast in one piece.

Wiring

21.15 All connections shall be properly protected, securely made and where subject to motion shall be of approved flexible wire.

21.16 All wiring of control board, station and gong circuits shall be at least No. 14 B. & S. gauge.

21.17 Binding posts shall be of such a character that the wire is held between two flat surfaces.

21.18 Binding posts shall be mounted on an approved terminal block or insulating strip spaced not nearer than one-half ($\frac{1}{2}$) inch to each other, unless separated by approved barriers.

Relays

21.19 The armatures of all relays shall depend on gravity or magnetic attraction for their operation.

21.19.1 This action may be assisted by flat type springs when approved by the Commissioner.

21.19.2 The use of spiral springs is prohibited.

21.20 Adjustments shall be of such a character that they can be securely locked.

21.21 Contact points shall be ample in area not only to take care of current used in operation but to insure long life and shall be of pure silver, or other approved material, properly riveted to their support.

21.22 Contact arms shall be of phosphor bronze and be of the dead beat type.

21.23 Contact assemblies shall be of such a character that their operation will be of a scraping self-cleansing nature.

21.24 The use of condensers across contacts to absorb the arc or in any part of a fire alarm circuit is prohibited.

21.25 Relays shall be free from objectionable hum when used on alternating current.

Rule 22. Time Limit Delay Device

22.1 All gong circuits shall and special signal apparatus may when required by the Commissioner, be protected by a Time Limit Delay Device.

Note: This time limit delay device shall consist of a heating coil so designed that the normal operating current will have little or no effect upon a thermostatic bi-metal bar or strip contained therein. Any abnormal increase over operating current or the continued accumulative heating effect thereof after a period of not less than three (3) minutes nor more than twenty (20) minutes shall cause the thermostatic element to expand. The expansion of this element shall automatically open the source of current supply to the gongs or devices protected.

22.2 The operation of the time limit delay device shall cause the trouble bell to ring.

22.3 Time limit delay devices shall be so connected in the fire alarm circuit that their operation will not open the fire alarm box circuits.

22.4 Where due to the extent of the installation, it becomes necessary to install a number of time limit delay devices, the operation of a single time limit

delay device shall not affect other sounding devices similarly protected.

22.5 A contactor relay to operate the sounding devices shall be provided on all direct current gong circuits exceeding three (3) and all alternating current gong circuits exceeding two (2) in number.

22.6 Gong circuits not requiring contactor relays shall be operated by contacts properly placed on the armature of the box circuit relay.

22.7 A separate time limit delay device, contactor relay, contactor supervisory relay and gong supervisory relay shall be provided for each four (4) gong circuit or fraction thereof.

Switches

22.8 Triple pole, double throw, broken back knife switches properly supervised and connected to emergency resistors shall be provided on all box and gong circuits when they exceed three (3) in number.

Instruments

22.9 A separate approved milliammeter or other approved current indicating device shall be provided for the box circuit and each four (4) gong circuit on the control board when the gong circuits exceed three (3) in number. A separate milliammeter shall be provided to indicate the supervisory current of contactor relays and emergency switch circuits. This meter shall be known as the Board Meter.

Resistors

22.10 Resistors shall be mounted on the front or face of control panels and shall be of vitreous enameled type.

Note: Wire wound resistors when protected by a suitable metal guard may be used in special cases when approved by the Commissioner.

22.11 Ferrule or knife contact type resistors shall not be used.

22.12 A protective resistor shall be placed in the negative or live lead of all box circuits to protect the contacts of the boxes in the event of a ground.

22.12.1 This resistor shall be not less than three-hundred (300) nor more than seven hundred and fifty (750) ohms resistance.

Rule 23. Control Boards

23.1 All relays, current indicators, resistances, time limit delay devices and other apparatus used in connection with the operation and supervision of closed circuit fire alarm signal systems shall be properly mounted on a panel of approved material, in a metal cabinet provided with lock and key. The control board shall be located in a place subject to the least vibration, free from moisture, inflammable gases, dust and mechanical injury and under frequent view of a responsible occupant of the building delegated by the owner to be in charge.

23.2 Control board panels shall be of insulating material such as ebony asbestos, bakelite or other approved materials at least one-half ($\frac{1}{2}$) inch in thickness.

23.3 Control boards mounted in each cabinet shall be securely fastened in each corner.

23.4 Provision shall be made for ample wire gutter space around the panel.

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- 23.5 Conduit knockouts shall not be provided in top of control board cabinet.
- 23.6 An approved wiring diagram of the alarm system and card of instruction properly marked and securely fastened shall be provided within the control board cabinet. When it becomes necessary to mount the diagram outside of the cabinet, the diagram shall be properly framed under glass.
- 23.7 All control board cabinets shall be provided with sight hole and glass panel to make meters on the inside of the cabinets visible from the outside.
- 23.8 Wires in gutter spaces shall be properly laced in a neat and workmanlike manner on all control boards having a capacity for more than three (3) gong circuits.

Rule 24. Battery Cabinets

- 24.1 All electric batteries for fire alarm signal systems shall be placed in substantial protecting cabinets thoroughly ventilated, elevated not less than one (1) nor more than five (5) feet above the floor and located in clean, dry and cool places where the temperature will not be less than forty (40) nor more than one hundred and ten (110) degrees Fahrenheit. Main battery cabinets shall be so constructed that the condition of the elements may be observed without disturbing the cells.
- 24.2 Metal battery cabinets shall be constructed of sheet iron or steel, not less than No. 14 U. S. gauge in thickness, properly reinforced by angle irons, with self-closing doors provided with lock and key and wood shelves not less than seven-eighths ($\frac{7}{8}$) of an inch thick, unless the battery is of the spray-proof type, properly fastened and secured to prevent sagging. The interior and the exterior of the cabinet shall be protected with three (3) coats of asphaltum compound, each coat to be thoroughly dry before the next is applied, or with baked enamel.
- 24.3 Wood battery cabinets shall be constructed of the first grade of kiln dried wood not less than seven-eighths ($\frac{7}{8}$) of an inch thick and shall be provided with self-closing door and approved lock. The shelves shall be not less than seven-eighths ($\frac{7}{8}$) of an inch thick properly fastened and secured to prevent sagging. The cabinet shall be of substantial construction painted on the interior with three (3) coats of asphaltum compound and on the exterior with three (3) coats of lead paint or two (2) coats of varnish.
- 24.4 Storage batteries may be placed on enameled metal battery racks, provided the batteries are installed in a place where they will not be subject to mechanical injury, and will be ventilated as required in Rule 12.6.

Rule 25. Painting of Equipment

- 25.1 All enclosing cases for fire alarm apparatus shall be finished in fire department red, except where special permission is given by the Commissioner to deviate from this requirement.

Rule 26. Closed Circuit Annunciators

- 26.1 Annunciators used in connection with Class 3 fire alarm systems shall be of an approved closed circuit type.
- 26.2 The annunciator shall have approved type of relays equipped with a suitable target, shutter or other indicating device.
 - 26.2.1 The indicating device shall have marked thereon a suitable description of the purpose it serves.

- 26.3 The printed designation on unit or building annunciator's indicators shall be legible. The mechanism shall be so arranged that once operated the indicating device shall be reset manually.
- 26.4 A unit annunciator shall be so designed that the operation of any station in the unit shall cause a visible and audible signal.
- 26.5 The unit annunciator shall be actuated by contact on code wheel of the fire alarm station or by contact on a relay connected to the fire alarm box circuit. In no case shall the station fire alarm circuit be used for this purpose.
- 26.6 Trouble annunciators shall be so arranged that the indicating device will reset automatically when cause of trouble has been removed.
- 26.7 The trouble annunciator shall be so designed that it will indicate visible and audible trouble signals in the event of trouble occurring on any circuit, control board or unit annunciators.
- 26.8 The trouble annunciator shall be actuated by the operation of contacts on all supervisory relays.
 - 26.8.1 Each relay of this annunciator shall be provided with two (2) sets of contacts so arranged that one will operate the one hundred and ten (110) volt trouble signal, the other set to actuate the register if a register is used.
- 26.9 A trouble buzzer switch and lamp shall be mounted on the inside of each unit annunciator cabinet on the panel.
- 26.10 A trouble bell, switch and lamp shall be mounted on the inside of each trouble annunciator cabinet on the panel. Trouble bell may be placed at a distance from the annunciator by special permission of the Commissioner.
- 26.11 Relay drops of annunciator shall be so designed that vibration from without or that caused by the trouble signal within will not operate the indicating devices.
- 26.12 All annunciators shall be installed in a separate red enameled steel cabinet provided with an approved lock and key.
- 26.13 Annunciators shall be properly marked in white letters at least one (1) inch high with the words: "Fire Alarm Annunciator" Zone — or "Fire Alarm Trouble Annunciator," whichever the case may be.

Rule 27. Licensed Contractors

- 27.1 No person shall install, alter or repair or cause to be installed, altered, or repaired electrical wiring or apparatus for fire alarm systems in any building, except a person holding a license, or a special license in accordance with Chapter 9 of the Code of Ordinances of the City of New York. The enforcing authority shall not approve any installation, alteration or repair done in violation of this rule.

Rule 28. Used or Rebuilt Apparatus

- 28.1 Used apparatus shall not be re-used for any interior fire alarm system under these Rules and Regulations until the same has been reconditioned in the shop of a reliable manufacturer building interior fire alarm apparatus which has been approved by the Board of Standards and Appeals. Approval in writing shall be obtained from the enforcing authority prior to installation. The enforcing authority shall not approve for use, used or reconditioned apparatus that may not give satisfactory service.

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BULLETIN

OF THE

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CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

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Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon. Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to September 12, 1939

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1091-39-BZ....H.B.M.....1120-1136 Sixth avenue, east side, from West 43rd street to West 44th street (Block No. 1259, Lot No. 1), Borough of Manhattan, N.B. 154-39.

1092-39-BZ....H.B.Q.....84-49 168th street, east side, 150.82 ft. north of Gothic drive (Block No. 9859, Lot No. 88), Jamaica, Borough of Queens, N.B. 5751-39.

1093-39-BZ....H.B.B.....684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28, inclusive), Borough of Brooklyn, N.B. 3190-39.

1094-39-BZ....H.B.Q.....52-02 Flushing avenue, south side, 106 ft. west of Sophie street and 52-15 Metropolitan avenue (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens, Misc. Applic. 956-39.

1095-39-A.....F.D.....191 Canal street, north side, 629.19 ft. west of Wright street (Block No. 527, Lot No. 49), Stapleton, Borough of Richmond, Decision re 5151-L.F.

1096-39-A.....H.B.Bx....West side of Cabot street, 138 ft. west of Truxton street, west side, and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2 and Block No. 2606, part of Lot No. 3), Borough of The Bronx, N.B. 653-39.

1097-39-S.....H.B.Bx....West side of Cabot street, 138 ft. west of Truxton street, west side, and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2 and Block No. 2606, part of Lot No. 3), Borough of The Bronx, N.B. 653-39.

1098-39-BZ....H.B.M.....128 East 63rd street, south side, 80 ft. west of Lexington avenue (Block No. 1397, Lot No. 60), Borough of Manhattan, Alt. 2782-39.

1099-39-A.....H.B.B.....51-67 Montith street, north side, 125 ft. west of Evergreen avenue (Block No. 3140, Lot Nos. 20 and 25 to 28, inclusive), Borough of Brooklyn, N.B. 2425-39.

1100-39-BZ....H.B.Bx....South side of East 174th street, from Morrison avenue to

Stratford avenue (Block No. 3888, Lot No. 1), Borough of The Bronx, Decision re Certificate of Occupancy.

1101-39-A.....H.B.....597 Greene avenue, southwest corner of Tompkins avenue (Block No. 1799, Lot No. 42), Borough of Brooklyn, Decision.

1102-39-A.....H.B.M.....634 Madison avenue, west side, 25 ft. north of East 59th street (Block No. 1374, Lot No. 14), Borough of Manhattan, Decision re Viol. 5902-38.

1103-39-SM.....Fireco Floor System manufactured by Fireproof Floors, Inc., Material.

1104-39-A.....F.D.....42-16 Vernon boulevard, west side, 275 ft. north of Harris avenue (Block No. 484, Lot No. 15), Long Island City, Borough of Queens, 3094-L.F.

1105-39-SM.....The Pelton and Crane Company Vacuum Breaker (for use with surgical fountain), manufactured by The Pelton and Crane Company, Material.

1106-39-A.....H.B.....860 Kent avenue, west side, 423.8 ft. south of Park avenue (Block No. 1897, Lot No. 48), Borough of Brooklyn, Decision.

1107-39-SM.....Insulite Structural Insulation Board Products (various trade names), manufactured by The Insulite Company, Material.

1108-39-A.....H.B.Q.....42-12 to 42-26 43rd avenue and 43-06 to 43-10A 43rd street, southwest corner (Block No. 163, Lot No. 25), Long Island City, Borough of Queens, N.B. 3352-39.

1109-39-A.....H.B.Q.....43-12 43rd street, west side, 100 ft. south of 43rd avenue (Block No. 163, Lot No. 25), Long Island City, Borough of Queens, N.B. 3934-39.

1110-39-SA.....Holt Refiner (oil reclaimer), manufactured by Holt Refiners, Incorporated, Material.

1111-39-A.....H.B.B.....545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn,

Revocation of Certificate of Occupancy 66349 and Permit 11430-31.

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- 1112-39-A.....F.D.....Re manufacture, storage, sale and transportation of "Admiral Anti-Freeze" (inflammable mixture) in non-refillable cans in New York City, Decision.
- 1113-39-BZ....H.B.B.....1913-1929 Bay avenue, north side, 106 ft. 3 $\frac{5}{8}$ in. east of East 19th street (Block No. 6748, Lot Nos. 92 $\frac{1}{2}$ and 97), Borough of Brooklyn, B.N. 5204-39.
- 1114-39-SM.....National Gypsum Company Hydrated Finishing Lime, under trade names of Gold Bond, Rockwall, Clip-On and Spread and Kuver, also Hydrated Masons and Quick Lime, under trade names of Gold Bond, Palmer, Rockwall and Big Yield, manufactured by National Gypsum Company, Material.
- 1115-39-BZ....H.B.Bx....1211 Wyatt street, northwest corner of Van Nest avenue (Block No. 3908, Lot Nos. 53-66), Borough of The Bronx, B.N. 386-39.
- 1116-39-BZ....H.B.B.....1811-1819 McDonald avenue, east side, 61 ft. south of Avenue "P" (Block No. 6633, Lot No. 12), Borough of Brooklyn, N.B. 2393-39.
- 1117-39-A.....H.B.Q.....181-14 Kildare road, south side, 99.96 ft. east of Surrey place (Block No. 7232, Lot No. 13), Jamaica, Borough of Queens, N.B. 8901-39.
- 1118-39-A.....H.B.Q.....41-01 and 41-02 10th street, super block bounded by 41st avenue, 12th street, 41st road and 10th street (Block Nos. 465 and 466, Lot No. 35), Long Island City, Borough of Queens, N.B. 6536-38.
- 1119-39-A.....F.D.....58-64 Clay street, south side, 116 ft. 8 in. west of Manhattan avenue and 1109-1113 Manhattan avenue (Block No. 2487, Lot No. 34), Borough of Brooklyn, 2277-L.F. and Decision.
- 1120-39-A.....F.D.....554 Broome street, north side, 154 ft. 2 in. west of Sixth avenue (Block No. 491, Lot No. 28), Borough of Manhattan, 18486-L.C.
- 1121-39-BZ....H.B.B....6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue (Block No. 4686, Lot Nos.
- 1, 5 and 6), Borough of Brooklyn, N.B. 1747-39.
- 1122-39-SM.....C. A. L. Cinder Building Blocks, manufactured by Charles A. Luisi, Material.
- 1123-39-SM.....Keentex Colored Plaster, manufactured by Tuckahoe Stucco Corporation, Material.
- 1124-39-A.....H.B.B.....137-149 Willoughby street, 266-280 Flatbush avenue extension and 393-403 Gold street, east side, 54 ft. 11 in. north of Willoughby street (Block No. 2060, Lot No. 41), Borough of Brooklyn, Amendment to Permit 3156-39.
- 1125-39-A....H.B.M....8 South street, northeast corner of Moore street (Block No. 4, Lot No. 44), Borough of Manhattan, N.B. 146-39.
- 1126-39-A.....H.B.B.....975 East 9th street, east side, 140 ft. north of Avenue "J" (Block No. 6522, Lot No. 56), Borough of Brooklyn, Alt. 3236-39.
- Restored to Calendar*
- 424-17-BZ....H.B.Bx....Northwest corner of Fordham road and Hoffman street (Block No. 3273, Lot No. 293), Borough of The Bronx, Decision.
- 366-32-BZ....H.B.Bx....1385-1395 Webster avenue, west side, 772.49 ft. north of East 169th street (Block No. 2887, Lot Nos. 151 to 155, inclusive), Borough of The Bronx, Decision.
- 372-32-SA.....Safand Shur Fire Extinguisher, Appliance.
- 167-34-BZ....H.B.B.....1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Borough of Brooklyn, Applic. 4493-34.
- 248-37-SA.....Paragon Oil Burner, Models A50, A75, A180, AF20 and AB20, Appliance.
- 865-39-A.....H.B.B.....5223 Snyder avenue, northwest corner of East 53rd street (Block No. 4700, Lot No. 36), Borough of Brooklyn, Alt. 901-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CALENDAR

CERTIORARI ORDERS SERVED ON THE BOARD OF STANDARDS AND APPEALS

On August 10, 1939, Edward L. Kelly, attorney, served on board petition and order of certiorari on behalf of Pearl Palatnick and Morcho Corporation, owners, in re decision of board of July 5, 1939, denying gas station in business district (previously denied by board) under section 21, Cal. No. 235-31-BZ, premises 701-705 Utica avenue, Borough of Brooklyn.

* * *

On August 18, 1939, Gallant & Steinberg, attorneys, served on board, petition and order of certiorari on behalf of Willfrat Holding Corporation, objectors, in re decision of board of July 18, 1939, granting temporary parking and storage under section 7-h, Cal. No. 510-39-BZ, premises 5821-5839 Broadway, N.W. cor. W. 238th street, Borough of The Bronx.

* * *

On August 25, 1939, Paul Friedman, attorney, served on board petition and order of certiorari on behalf of Greystone Garage Corporation, et al, adjoining property owners, in re decision of board of July 18, 1939, denying appeal for revocation of Application No. 973-29 and N.B. Permit No. 6081 of 1938, under Cal. No. 953-39-A, premises 487-493 Utica avenue, Borough of Brooklyn.

* * *

On August 28, 1939, Joseph & Demov, attorneys, served on board petition and order of certiorari on behalf of Regina Flaxman, lessee, and Ashton Properties, Inc., owners, in re decision of board of July 11, 1939, affirming the decision of the Superintendent of Buildings on B.N. 1072-38, objection A-1, as to beauty shop operation, Cal. No. 89-39-A, premises 2075 Grand concourse, S.W. cor. E. 180th street, Borough of The Bronx.

* * *

On September 5, 1939, Glass & Lynch, attorneys, served on board petition and order of certiorari, on behalf of Jeron Co., Inc., et al, objectors, in re decision of board of July 18, 1939, permitting in business use district extension of an existing gasoline station, under section 21, Cal. No. 271-39-BZ, premises 96-23 to 96-29 Queens boulevard, Elmhurst, Borough of Queens.

* * *

On September 5, 1939, Max A. Gulack, attorney, served on board, petition and order of certiorari, on behalf of Marie Ramundo, owner, in re decision of board of July 5, 1939, affirming orders of Superintendent of Buildings, Nos. 66-39 and 67-39, as to beauty shop, Cal. No. 474-39-A, premises 1711 Taylor avenue, Borough of The Bronx.

* * *

On September 16, 1939, Francis J. Costello, attorney, served on board petition and order of certiorari on behalf of Xelphin V. Dugal and ano., owners, in re decision of board of July 18, 1939, denying parking and storage of automobiles for temporary period under section 7-h, Cal. No. 1047-38-BZ, at premises 750-756 St. Nicholas avenue, Borough of Manhattan.

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SEPTEMBER 19, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 19, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 355-39-BZ—Application, March 21, 1939, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of Jeanette E. Thompson and Estate of A. G. Thompson, owners, to permit in a residence use district, the maintenance of garages for the storage of more than three (3) motor vehicles; premises South side of St. Johns avenue, 125 ft. west of Bay street (Block No. 2860, Lot Nos. 20 and 39), Rosebank, Borough of Richmond.

CAL. NO. 178-39-BZ—Application, February 14, 1939, under section 7f of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Buhrman Sand and Gravel Corporation, owner (Colonial Sand and Stone Co., Inc., lessee), to permit in a residence use district, the operation of a sand and gravel pit; premises East side of Douglaston parkway, 951.27 ft. south of 61st avenue (Block No. 8291, Lot No. 1), Douglaston, Borough of Queens.

CAL. NO. 904-38-BZ—Application, October 19, 1938, under sections 7h and 21 of the building zone resolution, of Harry Annabel, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-11 168th place, east side, 100 ft. south of 89th avenue (Block No. 9801, Lot Nos. 46 and 47), Jamaica, Borough of Queens.

CAL. NO. 844-38-BZ—Application, October 4, 1938, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Lena Maria Rasch, owner (William Aaron and Leo Goldberger, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2717-2739 Pitkin avenue, northeast corner of Euclid avenue (Block No. 4214, part of Lot No. 1), Borough of Brooklyn.

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CAL. NO. 103-39-BZ—Application, January 27, 1939, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of President and Directors of the Manhattan Company, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 196-27 Linden boulevard, northwest corner of 197th street (Block No. 1960, Lot No. 115), St. Albans, Borough of Queens.

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 414-39-BZ—Application, April 1, 1939, under section 21 of the building zone resolution, of Boochever, McManus and Ostrow, applicants, on behalf of Joseph Rosenbaum, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1031-1041 Bedford avenue, southeast corner of Clifton place (Block No. 1793, Lot No. 5), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 19, 1939, 2 P. M.

Appeals from Administrative Decisions

906-39-A—419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan.

916-39-A—54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens.

944-39-A—East Bank of Harlem River, 128 ft. south of West 171st street (Block No. 2541, Lot Nos. 126-132), Borough of The Bronx.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

Variation of Labor Law

905-39-S—8-10 Fulton street, 1-13 Furman street, southeast corner and 1-11 Doughty street (Block No. 200, Lot No. 1), Borough of Brooklyn.

SEPTEMBER 22, 1939, 10 A. M.

SPECIAL MEETING.

Appeals from Administrative Decisions

886-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

921-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

922-39-A—Re Interpretation of Section C26-1206.0, Administrative Code (Section 14.1.13, Building Code), re Plumbing System-Waste Lines.

SEPTEMBER 26, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 26, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 571-39-BZ—Application, May 5, 1939, under section 21 of the building zone resolution, of David Millman, applicant, on behalf of Benjamin Hershman and Edna Schaar, owners (Herbert Peetz, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 205-217 South First street, north side, 142 ft. east of Driggs avenue (Block No. 2394, Lot Nos. 30, 32, 35 and 37), Borough of Brooklyn.

CAL. NO. 703-38-BZ—Application, August 8, 1939, under section 7h of the building zone resolution, of Alice M. Johnston, applicant, on behalf of J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners (Charles Miller, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.

CAL. NO. 819-38-BZ—Application, September 24, 1938, under sections 7h and 21 of the building zone resolution, of Charles McEvoy, applicant and lessee, on behalf of Charles Jacobs, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 75-01 Broadway, northeast corner of 75th street (Block No. 1486 (499), Lot Nos. 13, 16 and 18), Jackson Heights, Borough of Queens.

CAL. NO. 671-39-BZ—Application, May 22, 1939, under sections 7c and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Artbern Corporation, owner, (Reshen Sons, lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens.

CAL. NO. 903-38-BZ—Application, October 19, 1938, under section 7h of the building zone resolution, of Morris Goldberg, applicant and

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owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3066-3076 West 23rd street, northwest corner of Riegelman Boardwalk and 3031 West 24th street (Block No. 7070, Lot Nos. 155, 170, 171, 172, 173 and part of Lot No. 145), Borough of Brooklyn.

CAL. NO. 1041-38-BZ—Application, November 18, 1938, under section 7h of the building zone resolution, of Tenzer, Greenblatt, Fallon and Kaplan, applicants, on behalf of Board of Transportation, City of New York, owner (Midtown Auto Storage Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 335 - 365 Schermerhorn street and 2-8 Third avenue, northwest corner (Block No. 167, Lot No. 36 and part of Lot No. 28), Borough of Brooklyn.

CAL. NO. 1044-38-BZ—Application, November 18, 1938, under section 7h of the building zone resolution, of Tenzer, Greenblatt, Fallon and Kaplan, applicants, on behalf of Board of Transportation, City of New York, A. J. Nutting Corporation and Manpet Realty Co., Inc., owners (Midtown Auto Storage Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 252-304 Schermerhorn street and 51-59 Bond street, southeast corner (Block No. 172, Lot Nos. 7, 10, 13 and 18), Borough of Brooklyn.

CAL. NO. 425-39-BZ—Application, April 5, 1939, under section 7a of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Joseph Serpico, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 807 Metropolitan avenue, north side, 1-5 Bushwick avenue and 18 Maspeth avenue, southeast corner (Block No. 2907, Lot No. 1), Borough of Brooklyn.

CAL. NO. 750-39-BZ—Application, June 7, 1939, under sections 7c and 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of Abraham Finger and Mollie Finger, owners, to permit in a business use district, the extension of and, also, the reconstruction of buildings on an existing gasoline service station; also, the parking of more than five (5) motor vehicles; premises 491-497 East 133rd street, northeast corner of Brown place (Block No. 2261, Lot Nos. 15 and 17), Borough of The Bronx.

CAL. NO. 1222-38-BZ—Application, December 30, 1938, under section 21 of the building zone

resolution, of Jack Z. Cohen, applicant, on behalf of Louis Caner, owner, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores); premises 794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 26, 1939, 2 P. M.

Appeals from Administrative Decisions

733-39-A—177-181 Concord street, northeast corner of Duffield street (Block No. 109, Lot No. 25), Borough of Brooklyn.

752-39-A—245 Russell street, northeast corner of Meserole avenue (Block No. 2628, Lot No. 6), Borough of Brooklyn.

873-39-A—110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn.

884-39-A—81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens.

909-39-A—166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens.

925-39-A—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

969-39-A—168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21 to 28, inclusive), Borough of Brooklyn.

972-39-A—8665-20th avenue, north side, 133 ft. west of Benson avenue (Block No. 6375, Lot No. 7), Borough of Brooklyn.

976-39-A—50 West 225th street, south side, 661 ft. east of Broadway (Block No. 2215, part of Lot No. 700), Borough of Manhattan.

1053-39-A—165-18 South road, south side, 110.63 ft. east of 165th street (Highview avenue); (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.

OCTOBER 3, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 3, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 411-39-BZ—Application, March 31, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Violet Bazerman, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 2932-2936 Ocean parkway, southwest corner of

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Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

CAL. NO. 1013-38-BZ—Application, November 10, 1938, under section 7h of the building zone resolution, of John Beveridge, applicant and lessee, on behalf of Jesse Knight, Edith Howells, Daisy Howells, American Savings Bank, Ernest Hoehn and Union Dime Savings Bank, owners, to permit in a business use district, the parking and storage of more than five (5) motor vehicles; premises 1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21 to 25, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 3, 1939, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 3, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 366-32-BZ—Application of Aaron A. Roth, applicant, on behalf of the Estate of Sarah Cook Montague, owner, Joseph E. Montague and George M. Thomson, executors, reopened September 12, 1939 re extension of permit—re Application, previously granted on condition under section 21 of the building zone resolution, for a temporary period, permitting in a business use district, the maintenance of a motor vehicle repair shop; premises 1385-1395 Webster avenue, west side, 772.49 ft. north of East 169th street (Block No. 2887, Lot Nos. 151 to 155, inclusive), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 10, 1939, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 10, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 742-39-BZ—Application, June 5, 1939, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of F. D. Koehler Co., Inc., owner, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline service station; premises 1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 10, 1939, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

386-39-A—41-45 Elliott place, northwest corner of Walton avenue (Block No. 2842, Lot No. 22), Borough of Brooklyn.

581-39-A—1510 Jessup avenue, east side, 884.8 ft. south of Featherbed lane (Block No. 2872, Lot Nos. 287, 293, 296, 298, 299 and 300), Borough of The Bronx.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 10, 1939*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 167-34-BZ—Application of Insular Realty Corporation, applicant and owner, reopened September 12, 1939 re extension of permit — re Application, previously granted on condition, under section 21 of the building zone resolution, for a temporary period, permitting in a business use district, the change of occupancy of an existing building to a motor vehicle repair shop; premises 1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 17, 1939, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 17, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 12, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, July 11, 1939, the minutes of the regular meeting of the board held Tuesday afternoon, July 11, 1939, as printed in Bulletin No. 29, Vol. 24; and the minutes of the regular meeting of the board held on Tuesday morning, July 18, 1939, and the minutes of the regular meeting of the board held on Tuesday afternoon, July 18, 1939, were approved as printed in Bulletin Nos. 30 and 31, Volume 24.

BUILDING ZONE CASES

1222-38-BZ.

APPLICANT—Jack Z. Cohen, for Louis Caner, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores).

PREMISES AFFECTED—794-798 Saratoga avenue, west side, 100 ft. $2\frac{3}{4}$ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

For Opposition: Allen D. Emil and Hyman H. Zotezl.

ACTION OF BOARD—Laid over to September 26, 1939, 10 A. M., on request of applicant.

411-39-BZ.

APPLICANT—Lama and Proskauer, for Violet Bazerman, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Klorfein, Marshall Snyder, Jos. Anacreonte.

ACTION OF BOARD—Laid over to October 3, 1939, 10 A. M., for consideration and decision by the board. No further argument.

742-39-BZ.

APPLICANT—John F. Meehan, for F. D. Koehler Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline service station.

PREMISES AFFECTED—1218-1222 Clove road, and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: John F. Meehan, James Cole, George H. Butehorn.

For Opposition: Harold B. Klorfein.

ACTION OF BOARD—Laid over to October 10, 1939, 10 A. M., for inspection and decision by the board. No further argument.

750-39-BZ.

APPLICANT—Robert J. Farrington, for Abraham and Mollie Finger, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the extension of, and also, the reconstruction of buildings on an existing gasoline service station; also the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—491-497 East 133rd street, northeast corner of Brown place (Block No. 2261, Lot Nos. 15 and 17), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert J. Farrington, Allen B. Bates, Abraham Finger.

For Opposition: None.

ACTION OF BOARD—Laid over to September 26, 1939, 10 A. M., applicant to file revised plans and for consideration by the board. No further argument.

503-38-BZ.

APPLICANT—Henry Nordheim, for Miriam Osborn Memorial Home Association, Inc., Mary T. Howard, Mary Cory and Gertrude Hughes, owners (Allen C. Gordon, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2327-2331 Bathgate avenue, west side, 25 ft. south of East 185th street and 2326-2330 Bassford avenue (Block No. 3053, Lot Nos. 28, 31, 32 and 49), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, Allen C. Gordon, Mary T. Howard, Eugene Curry.

For Opposition: Earl I. Gallant, Harry Fontuna, Louis Shaiken, Pietro Toscono.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(503-38-BZ)

WHEREAS, Henry Nordheim, for Miriam Osborn Memorial Home Association, Mary Cory, Gertrude Hughes and Mary T. Howard, owners (Allen C. Gordon, lessee), filed June 17, 1938, an application under sections 7h and 21 of the building zone resolution, to permit partly in an unrestricted use and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, affecting premises 2327-2331 Bathgate avenue, west side, 25 ft. south of East 185th street and 2326-2330 Bassford avenue (Block No. 3053, Lot Nos. 28, 31, 32 and 49), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular

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meeting, September 12, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bathgate avenue is in a business and unrestricted use district; that Bassford avenue is in a business and unrestricted use district; that Third avenue is in an unrestricted use district; that East 184th street is in a business and unrestricted use district; that East 185th street is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated July 13, 1939, reads:

"You are hereby advised that your application to use the above premises for the parking and storage of more than five (5) motor vehicles, is denied, as the premises are located partly in a business district and partly in an unrestricted district, as established by the amended Building Zone Resolution, and the parking and storage of more than five (5) cars in the business portion of this plot would be unlawful."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 75 ft. on Bathgate avenue, 105 ft. on Bassford avenue and a depth of 188 ft. The Bathgate avenue frontage of the plot is in an unrestricted use district; the remainder is in a business use district. It is proposed to use the site, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles.

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under sections 7-C and 7-H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under sections 7-C and 7-H thereof, for a temporary period of two (2) years, to permit the premises to be occupied for the parking and storage of motor vehicles, *on condition* that only motor vehicles of the pleasure car type shall be so parked or stored; that the plot shall be leveled substantially to the grade of Bathgate avenue; that the entrance shall be solely from Bathgate avenue; that along the street lines of Bassford avenue and Bathgate avenues the present wooden fence shall be removed and a substantial woven wire fence of the anchor post type shall be erected and shall be not less than 7 ft. in height above the sidewalk grade; that on the Bassford avenue side where the grade of the lot is higher than the grade of the street, there shall be erected a concrete curb to the height of the interior lot grade; that the entrance to Bathgate avenue shall not exceed 15 ft. in width with curb cut opposite not exceeding a similar width; that the entire plot shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting; that during the term of this permit the plot shall be used for no other purpose and no building shall be erected, except there may be erected near the Bathgate avenue entrance a building which may be of frame construction, not exceeding one story in height and 150 square ft. in area, for use as an office and shelter for the attendant; that no sign shall be erected on the premises other than a sign attached to the fence on the Bathgate avenue side and a similar one on the Bassford avenue side, advertising the storage and parking use, said signs not to exceed 15 sq. ft. in area each and not to extend beyond the building line; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that all permits required shall be obtained and all work completed within three months from the date of this resolution.

1224-38-BZ.

APPLICANT—Jack Z. Cohen, for Max Shifrin, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—695-697 New Lots avenue, north side, 21 ft. 1 in. west of Jerome street (Block No. 4091, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(1224-38-BZ)

WHEREAS, Jack Z. Cohen, for Max Shifrin, owner, filed December 30, 1938, an application under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop, affecting premises 695-697 New Lots avenue, north side, 21 ft. 1 in. west of Jerome street (Block No. 4091, Lot No. 16), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 12, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that New Lots avenue is in a business use district; that Livonia avenue is in a business use district; that Jerome street is in a business and residence use district; that Barbey street is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated December 29, 1938, reads (Applic. No. 7540-38):

"Proposed change of occupancy to motor vehicle repair shop is contrary to Art. II, Sec. 14, Subd. 29, Zoning Resolutions, and is hereby denied."

and

WHEREAS, the existing building is of non-fireproof construction, one (1) story in height, 42 ft. 2 in. frontage and a depth of 87 ft. irregular. It is proposed to occupy the existing building as a motor vehicle repair shop; and

WHEREAS, the applicant contends that "the premises in question, erected in 1928, consists of an office, store, hay and grain storage and two-horse stable being occupied under certificate of occupancy No. 53398; that the maintenance of horses and the operation of horse drawn vehicles has become so negligible as to actually be a thing of the past; consequently, it is apparent that the present allowed purposes of this property are absolutely useless; that those few stores in the vicinity which are occupied, are rented at a very low and exceedingly cheap rental; that the purposes to which the owner proposes to put the property to use is that of a motor vehicle repair shop, its repair business consisting of ignition and brake service which will be done chiefly by hand tools; there will be no heavy machinery on, near or about the premises."

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant was entitled to temporary relief under section 21 on the grounds of practical difficulty and unnecessary hardship;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that

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the application be and it hereby is *granted* under section 21 thereof for a temporary period of two (2) years from the date of this resolution, to permit the premises under appeal to be occupied as a motor vehicle repair shop *on condition* that the repair work shall be limited to hand tools and motor driven tools using not over $\frac{1}{2}$ h.p.; that there shall be no forge or anvil installed and no acetylene equipment; that all work herein permitted shall be done within the building and not on the sidewalk or in the vacant lot adjoining; that no sign shall be permitted on the roof of the building or any part of the building, except there may be a sign erected on the New Lots avenue frontage, advertising the repair work, provided such sign does not exceed 15 sq. ft. in area; that no gasoline shall be stored in the premises other than in the tanks of the cars being repaired; that all permits required shall be obtained and all work completed within three months from the date of this resolution.

721-39-BZ.

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7d of the building zone resolution, to permit in a residence use district, the extension of an existing central telephone exchange.

PREMISES AFFECTED—182-08 to 182-26 140th avenue, east side, from 182nd street to 183rd street, 140-01 to 140-11 182nd street and 140-02 to 140-10 183rd street (Block No. 3781, Lot No. 1), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Frank A. Fritz, E. Simonson.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(721-39-BZ)

WHEREAS, New York Telephone Company, owner, filed May 31, 1939, an application under section 7D of the building zone resolution to permit in a residence use district the extension of an existing central telephone exchange; premises: 182-08 to 182-26 140th avenue, S.S. from 182nd street to 183rd street, 140-02 to 140-10 183rd street, 140-01 to 140-11 182nd street, Springfield Gardens, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 12, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 140th avenue is in a residence and business use; 182nd street is in a residence use; 183rd street is in a residence and business use and 141st avenue is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated May 2, 1939, re Alteration application No. 686-1939 reads:

"The extension of a business building in a residence district is contrary to Art. 2, Section 3 of the Building Zone Resolution."

WHEREAS, the existing building is fireproof, two (2) stories in height, with a fronting of 103 ft. 3 in. on 140th avenue and 95 ft. on 183rd street. It is proposed to extend the area of the existing Central Telephone exchange building by the erection of a two (2) story extension 54 ft. 11 in. by 60 ft. in area; and

WHEREAS, on June 3, 1927, the zone of premises in question was changed from undetermined to residence use; and

WHEREAS, applicant contends that the existing building

was completed on January 23, 1928; that the building as extended will be of typical central telephone exchange construction; that the proposed extension will have a steel frame but in all other respects will conform with the existing buildings, being fireproof, with all four walls faced with red Colonial brick, ornamented with limestone trim, cornices, sill courses, balustrades and coping on street elevations; that the doors are to be metal covered and the windows throughout are to be of metal with wire glass; that it is planned to remove the existing exterior fire escape and to erect a new interior stairway at the rear of the proposed extension in replacement thereof; that the site of the proposed building operation is the telephonic wire center of an important and rapidly developing area of service demands; that the existing building is now operating at almost full capacity.

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision d, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7d, to permit the extension, as proposed, *on condition* that no additional building or extension shall be constructed on Lot No. 1, comprising the entire block front along 140th avenue and a depth of 100 ft., and that such block front shall remain in the ownership of the New York Telephone Company; that any windows erected on the southerly lot line or within 30 ft. thereon shall be fireproof self-closing; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

Adjourned, 12:00 M.

EDWARD V. BARTON, *Chief Clerk*.

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 12, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

APPEALS FROM ADMINISTRATIVE DECISIONS

415-27-A.

APPLICANT—Hafner Associates, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—19-01 to 19-35 24th avenue (Woolsey avenue) and 23-77 to 23-97 19th street (Barclay avenue); (Block No. 890, Lot No. 1), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Aloysius Stork.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(415-27-A)

WHEREAS, Croker National Fire Prevention Engineering Co., for H. R. Mallinson, owner, filed April 19, 1927, an

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appeal from an order of the fire commissioner affecting premises 1901-1935 Woolsey avenue, 2377-2397 Barclay avenue and 1902-1904 Philips place, Astoria, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated January 31, 1927 (Order No. 7980-F), reads:

"1. Install a standpipe system with risers 4 inches in diameter tested to withstand a pressure of 300 lbs. per square inch, extending from cellar to roof, with necessary check valves and 2½ inch regulation Fire Department outlets on each story (including basements, cellars and roofs), placed within main stairway enclosure. Each outlet to be provided with sufficient feet of 2½ inch standard hose attached thereto."

and

WHEREAS, the premises consist of a plot of ground fronting on Woolsey avenue, Barclay avenue and Philips place, upon which are located two structures, a fireproof building, 3 stories in height, 185 ft. ½ in. by 202 ft. 6 in. irregular (approximately 33,000 sq. ft.) in area and a 1 story non-fireproof building 109 ft. 11½ in. by 207 ft. 6 in. (approximately 22,000 sq. ft.) in area; the openings between the two buildings being protected by fireproof self-closing doors on each side of the party wall; OCCUPIED by one tenant for the manufacture of silk fabrics; 1st story (both buildings), 116 persons; 2nd story, 70 persons; 3rd story, 75 persons; and

WHEREAS, this appeal was granted by the board September 13, 1927, there being a 40,000 gallon gravity tank on roof which tank has since been replaced by a 20,000 gallon tank.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of September 13, 1927, so that as amended it shall read:

Resolved, that the order of the fire commissioner be and it hereby is modified and the appeal be and it hereby is granted on condition that the building shall be equipped throughout other than the enclosed fireproof stairway with an approved two source net sprinkler system installed in accordance with the rules of the Board of Standards and Appeals and granted only so long as the building remains substantially unchanged and not increased in height, area or dimension, and granted on condition that siamese connection shall be provided on the street fronts of both Woolsey and Barclay avenues.

Resolved further, that in the event the owner desires to replace the 40,000 gallon gravity tank with a gravity tank having a capacity of 20,000 gallons, such substitution may be made on condition that in all other respects all requirements of this resolution shall be complied with and the building conforms in all other phases to all rules, laws and regulations applicable thereto.

364-35-A.

APPLICANT—Ph. Dietz Coal Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit re Appeal from an order and a decision of the fire commissioner, re Transportation of Fuel Oil in Trucks in New York City.

APPEARANCES—

For Applicant: Irving A. Feinstein.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(364-35-A)

WHEREAS, Ph. Dietz Coal Co., Inc., owner, filed an appeal from an order and decision of the fire commissioner

affecting the use of a tank truck for the transportation of fuel oil in the city of New York; and

WHEREAS, the order of the fire commissioner (No. 7687-LC), dated October 17, 1935, reads as follows:

"An inspection of truck No. 403, on a Mack chassis, used by you for the transportation of any liquid product of petroleum, shale oil or coal tar as required by section 113, article 8, chapter 10 of the Code of Ordinances of the city of New York, shows the following requirements necessary before a permit can be issued:

1. Discontinue the transportation of oil in excess of 2,500 gallon tank capacity. Section 4.1.

2. Discontinue the use of tank having more than 600 gallon capacity in each compartment. Section 4.2.

It is unlawful for you to operate this truck on a public highway without a permit from the Fire Chief and Commissioner."

and

WHEREAS, the decision of the fire commissioner dated December 20, 1935, reads as follows:

"In reply to your letter of November 24th, 1935 re our order 7687-LC filed against your truck No. 403, we beg to advise you that sections 4-1 and 4-2 of the tank truck specifications prohibits more than 2,500 gallons of Nos. 1, 2, 3 or 4 fuel oil with no compartment to exceed 600 gallons on any one truck. This truck can be used for Nos. 5 or 6 fuel oil only."

and

WHEREAS, the truck, which is the subject of this appeal, is stored at premises: southeast corner of Reynolds street and Otto road, Ridgewood, Borough of Brooklyn; and

WHEREAS, applicant requests a variation of section 113, article 8, chapter 10 of the Code of Ordinances which reads in part as follows:

3. Tank trucks. No person shall transport petroleum or shale oil, or the liquid product of either thereof or of coal-tar, in a tank truck unless it be of a type for which a certificate of approval shall have been issued; provided, however, that a certificate of approval of a type or kind of tank truck issued under this section to a given person shall not be construed as an approval of a similar type or kind of truck owned, operated or used by another person.

No tank truck or other vehicle transporting liquid products of petroleum shall be operated on a public highway without a permit. Each tank shall be in charge of a responsible person holding a certificate of fitness, whose duty it will be to see that all safety devices are in place and in proper working order; truck properly grounded when filling or discharging and that all pipe connections and fill cap covers are all tight. He shall produce on demand of any representative of the fire or police departments the inspection card which shall be the property of the fire department. He shall also keep in a safe place on the truck the inspection card furnished by the fire department.

and

WHEREAS, the fire commissioner in accordance with said section 113 of the Code of Ordinances promulgated specifications for tank trucks to be used for the transportation of fuel oil throughout the city of New York; and

WHEREAS, section 4.1 of these specifications read as follows:

Section 4.1. The total carrying capacity of the tank shall not exceed twenty-five hundred (2,500) gallons, except that heavy oils (Nos. 5 and 6) may be carried in a tank of not more than three thousand (3,000) gallons capacity.

and

WHEREAS, section 4.2 reads as follows:

Section 4.2. The total capacity of any one compartment shall not exceed six hundred gallons (600) ex-

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cept that heavy oils Nos. 5 and 6 may be carried in a three thousand (3,000) gallon compartment.

and

WHEREAS, the tank in question is equipped with a tank having a capacity of 3,000 gallons and is used for the transportation of Nos. 1, 2, 3 and 4 fuel oil; and

WHEREAS, said tank is divided into three compartments having a capacity of 1,000 gallons each; and

WHEREAS, the applicant states that tank chassis weighs 13,600 lbs. stripped and the cab weighs 500 lbs.; tank, pump, etc., 8,200 lbs.; oil, 21,600 lbs.; total, 43,900 lbs.; and

WHEREAS, the applicant has filed a letter from the acting chief engineer of the Mack-International Motor Truck Corporation, dated November 8, 1935, which reads as follows:

"This is to certify that Mack Chassis No. 6BX7SH-1057, owned by Ph. Dietz Coal Company of 61-20 71st avenue, Brooklyn, N. Y., equipped with 3,000 gallon tank for hauling light fuel oils is safe to carry superimposed load and that the net chassis weight exceeds the required 28% of the gross vehicle weight (chassis, cab, accessories, tank and fuel oil)."

and

WHEREAS, the applicant has used the truck for two years and contends that to make the truck conform with the fire commissioner's requirements will cause great financial loss to the applicant; and

WHEREAS, this appeal was granted by the board May 26, 1936, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of May 26, 1936, so that as amended it shall read:

Resolved, that the order of the fire commissioner, No. 7687-LC be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the truck under appeal, No. 403, to be used in the transportation of fuel oil as proposed, *on condition* that the truck shall be maintained in safe operating condition to the satisfaction of the fire commissioner and shall comply in all other respects, other than the total capacity and the size of compartments, with the specifications for tank trucks (fuel oil) of the fire commissioner.

253-37-A.

APPLICANT—Oliver W. Holmes, for Farragut Pool, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—15251 Albany avenue (East 41st street), east side, 115 ft. south of Farragut road (Block No. 5016, Lot No. 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: Oliver W. Holmes and A. M. Johnson.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(253-37-A)

WHEREAS, Oliver W. Holmes, for Farragut Pool, Inc., owner, filed June 2, 1937, an appeal from an order of the fire commissioner, affecting premises 1525 Albany avenue (East 41st street), east side, 115 ft. south of Farragut road (Block No. 5016, Lot No. 13), Borough of Brooklyn; and

WHEREAS, the order No. 70922-LC of the fire commissioner, dated May 6, 1937, reads as follows:

"1. Discontinue the storage and use of liquified chlorine on above premises for the reason that same is prohibited by Code of Ordinances, City of New York, in a place of public assembly, Section 214-A-4-F.

"You are, therefore, ordered forthwith to remove all cylinders of liquified chlorine from above premises."

and

WHEREAS, the building in which the chlorine is stored is one story in height, 20 ft. by 20 ft. in area, and used as a filterhouse in connection with the swimming pool on a plot 200 ft. by 500 ft. in area, located in a business use district for which Certificate of Occupancy No. 53611 was issued November 12, 1928; and

WHEREAS, permission is requested to continue the storage and use of one 150 lb. cylinder of chlorine in the filter house for use in connection with the swimming pool located on the same plot; and

WHEREAS, the applicant contends that the chlorine is contained in commercial containers and stored out of the public's reach in a building of concrete blocks to which no one is admitted and which is locked at all times, that this building is thoroughly ventilated by louver windows, which insure adequate circulation of air within the building, that for the last eight or nine years, the Fire Department has approved and granted permission to use this chlorine in the same manner and their action in declining to continue this policy has not been explained; and

WHEREAS, these premises were the subject of an inspection by a committee of the board, prior to the hearing, in order to be informed; and

WHEREAS, this appeal was granted by the board June 15, 1937 on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of June 15, 1937, so that as amended it shall read:

Resolved, that the Order No. 70922-LC, of the commissioner of buildings be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the use and storage of one 105 lb. cylinder of liquefied chlorine for the purification of water in swimming and wading pools *only so long as conditions are maintained to the satisfaction of the fire commissioner, on condition* that such storage and equipment shall be located in the building as indicated on plans marked filed with this appeal and the container itself shall be stored at all times in a steel cabinet, the container to be held upright and secured by rigid metal braces; that this cabinet shall be vented to the outer air and protected by a sprinkler head fed by a one-inch pipe taken from the water supply and controlled by a conspicuously labeled valve immediately inside or outside the door to the storage building; that if such control pipe is located outside, that it shall be of sufficient height to be out of immediate reach of the public; that there shall be an approved Wallace & Tiernan, or similar approved apparatus for control of the chlorine; that an approved gas mask shall be furnished and kept in a break glass cabinet in an easily accessible place; that no persons shall be allowed in the storage room except necessary employees and that the door to such storage-room shall normally be kept locked; that employees in charge of the apparatus and water treatment system shall hold certificates of fitness and shall be trained in the proper use of gas masks; that during the winter months when the pools are not in operation, the chlorine cylinders shall be removed from the premises; that the police commissioner and the local engine company shall be informed as to this permitted chlorine storage.

698-39-A.

APPLICANT—John J. Lake & Son for Clarence W. and Jennie Lake, owners.

SUBJECT—Appeal from orders of the fire commissioner.

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PREMISES AFFECTED—115-23 Jamaica avenue and 86-28 116th street, northwest corner (Block No. 192, Lot Nos. 20 and 21), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Clarence W. Lake.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(698-39-A)

WHEREAS, John J. Lake & Son, for Clarence W. and Jennie Lake, owners, filed on May 24, 1939, an appeal from orders of the Fire Commissioner, affecting premises 115-23 Jamaica Avenue and 86-28 116th Street, northwest corner, Richmond Hill (Block No. 192, Lot Nos. 20 and 21), Borough of Queens, and

WHEREAS, Order No. 1162 LF, (115-23 Jamaica Ave.) issued by the Fire Commissioner August 19, 1938, reads:

"Provide a separate and distinct system of automatic sprinklers throughout cellar, having at least one source of water supply arranged and equipped as provided in Article 16, of the Administrative Code."

and

WHEREAS, Order No. 1629 LF (86-28 116th St.), issued by the Fire Commissioner November 4, 1938, reads:

"1. Provide a separate and distinct system of automatic sprinklers throughout building having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, the above orders were repeated in orders Nos. 79568LC & 79569LC issued by the Fire Commissioner on April 26, 1939; and

WHEREAS, the building is one and three stories in height, 65 ft. by 100 ft. in area, located in a business and residence use district, C area, erected 1897 and 1919, and occupied:

Cellar — Storage of paint and wall paper,

First Floor — Same,

Second Floor — Storage of hardware and wall paper,

Third Floor — To remain vacant.

7 persons throughout the building.

WHEREAS, the applicant contends that the proposed sprinkler system is not necessary, that there is sufficient access to the cellar through vault in front of store, and cellar stairs with sidewalk door, elevator in the rear of cellar and two cellar windows with gratings in sidewalk; that the front and rear portions of the cellar are separated by fire doors; that the dumbwaiter leading from the cellar to first floor is completely enclosed with cement blocks;

Resolved, that the order of the fire commissioner, No. 1162-LF, affecting 115-23 Jamaica avenue, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that there shall be installed throughout the cellar a non-automatic dry sprinkler system complying with the requirements of the Sprinkler Rules, except that no automatic fire alarm need be installed; that all fittings shall be of malleable iron and that at the building line on Jamaica avenue there shall be installed a single hose connection not less than 1 ft. above the sidewalk; and as to Order No. 1629-LF, affecting 86-28 116th street, that a similar sprinkler system shall be installed in the cellar only; that in addition such portable fire-fighting appliances shall be installed on both premises, as the fire commissioner shall direct.

703-39-A.

APPLICANT—Michael Marlo, for Rolip Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and

amendment re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—57-69 Caton place, north side, 50 ft. east of East Eighth street and 13-23 Ocean parkway (Block No. 5322, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Marlo and Mr. Padula.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(703-39-A)

WHEREAS, Paul Friedman, for Roysown Realty Corporation, owner, filed May 24, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 57-69 Caton place, north side, 50 ft. east of East 8th street and 13-23 Ocean parkway (Block No. 5322, Lot No. 4) Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Application No. 1826-39, dated May 19, 1939, reads:

"1. Proposed change of occupancy in non-fireproof building is contrary to Sec. C26-721.0 A.C.

2. Standpipe system required as per Sec. C26-746.0 A.C. (See Bd. of Appeals, Cal. No. 531-26-A).

3. Boiler room must be located outside of auditorium area — Sec. C26-749. A.C.

4. Provide additional 4-ft. stair from 2nd floor (occupancy of 15 people questioned).

5. Provide exits from ground floor in accordance with Sec. C26-731.0."

and

WHEREAS, the building is 3 stories (40 ft.) in height, 106 ft. 5 in. by 189 ft. in area, of Class 3 construction, located in an unrestricted and residence use "C" area district, erected in 1920 and 1926 and occupied pursuant to certificate of occupancy No. 78012, as a riding academy and stable. It is proposed to occupy the building: 1st floor—roller skating rink—1200 persons; 2nd floor—ping pong room—15 persons; 3rd floor—storage—0 persons; and

WHEREAS, the applicant contends a new fireproof stairway will be constructed leading from the boiler room direct to the street, that the 1st tier of beams will be removed, basement filled in, and a concrete slab poured; that the part of the building fronting on Ocean parkway at the 1st story will be used for lobby, check room, offices, toilets, and other similar uses; that the 2nd story on the Ocean parkway frontage will be used as a ping pong room limited to 15 persons; that one of the existing stairways to the 2nd story will be removed and that all partitions erected will consist of 4 inch gypsum blocks plastered on both sides; that a steel tower will be erected to support two electric signs in the unrestricted district; and

WHEREAS, this appeal was granted by the Board June 7, 1939, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of June 7th, 1939, so that as amended is shall read:

Resolved, that the decision of the acting borough superintendent, on Application No. 1826-39, be and it hereby is modified, and that the appeal be and it hereby is granted as to Objections No. 1 to 5, inclusive, so as to permit the occupancy as a roller skating rink, substantially as shown on plans filed with the borough superintendent of buildings, on condition that the building shall not be increased

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in height or area; that no cellar shall be constructed under the building, except the existing boiler room; that such boiler room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior of the building; that two means of exit shall be constructed to the 2nd story space, to be used, as proposed, as a ping pong room; that the requirements for the standpipe system may be waived in view of the action by the board under Cal. No. 531-26-A; that no signs shall be erected on any part of the building within the area zoned for residential uses; and that in all other respects all laws, rules and regulations shall be complied with as applying to the construction and occupancy of this building.

Resolved further, that in the event the owner desires to use the existing cellar space for check room and toilets and boiler room, as indicated on revised plan marked "Received August 22, 1939," such space may be so used; that in the event the owner desires to substitute the use of the 2nd floor with ping-pong tables and club locker rooms, such use may be maintained, while the total occupancy of the 2nd floor does not exceed fifty (50) people; that the arrangement of the existing doors may be maintained as now existing, provided the total space provided is not less than that shown on plans previously filed with Application No. 1826-39 with the Borough Superintendent of Buildings; that in all other respects the resolution adopted by the Board on June 7th, 1939, shall be complied with.

865-39-A.

APPLICANT—A. J. Simberg, for Tessie Smith, owner.
SUBJECT—Application for consideration—reopening on new decision—re Appeal from a decision of the acting borough superintendent of buildings (previously denied).

PREMISES AFFECTED—5223 Snyder avenue, northwest corner of East 53rd street (Block No. 4700, Lot No. 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo Kander.

ACTION OF BOARD—Application reopened and granted.
THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(865-39-A)

WHEREAS, A. J. Simberg, for Tessie Smith, owner, filed June 27, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 5223 Snyder avenue, northwest corner of East 53rd street (Block No. 4700, Lot No. 36) Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 901-39, dated June 23, 1939, reads:

"2. As pitch of roof exceeds 20° provide a second means of egress as required by Sec. 188, and in accordance with Sec. 187, Multiple Dwelling Law."

and

WHEREAS, the building is cellar and 2 stories (27 ft.) in height, 20 ft. 1½ in. by 68 ft. in area, located in a residence use district, erected in 1925, and occupied as a dwelling; and

WHEREAS, this appeal was denied and reopened by vote of the board.

Resolved, that the Board of Standards and Appeals does hereby reverse the decision of the Borough Superintendent

of Buildings as to Alt. Applic. No. 901-39, decision of June 23, 1939, and that the appeal be and it hereby is *granted* in accordance with the report of the Committee of Inspection as reporting on the meaning and intent of the law as set forth under Cal. No. 786-38-A, affecting premises 1062 55th Street, Brooklyn, as to which Alteration Application No. 11363-38 was filed with the Borough Superintendent.

870-39-A.

APPLICANT—Louise Krueger, lessee, for Nochpeem Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—25 East 78th street and 1010 Madison avenue, northwest corner (Block No. 1393, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(870-39-A)

WHEREAS, Louise Krueger, lessee, for Nochpeem Corporation, owner, filed June 27, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 25 East 78th street and 1010 Madison avenue, northwest corner (Block No. 1393, Lot No. 14), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 2120-39, dated June 26, 1939, reads:

"1. Building must be of Class 1, fireproof construction as the proposed occupancy would make it a public building. Sec. 4.2.1 B.C.

2. Means of egress inadequate. Same should conform to the requirements of 6.1.2.1, 6.4.1.8 and 6.4.1.11 B.C."

and

WHEREAS, the building is 5 stories (59 ft.) in height, 30 ft. by 100 ft. in area, located in a restricted retail use district, erected in 1898, of non-fireproof construction, and occupied: Sub-cellar—storage and boiler room; basement—storage—2 persons; 1st floor—offices and showroom—7 persons; 2nd floor—offices and showroom—2 persons; 3rd floor—offices and showroom—2 persons; 4th floor—offices and dwelling—4 persons; 5th floor—offices and dwelling—4 persons; it is proposed to change the occupancy to: Sub-cellar—boiler room; basement—workshop and dining—10 persons; 1st floor—classroom and office—50 persons; 2nd floor—classroom and assembly—50 persons; 3rd floor—classrooms—50 persons; 4th floor—classrooms—40 persons; 5th floor offices and library—10 persons; and

WHEREAS, the applicant contends that while the Code restricts the use of this building for public purposes because of its height, a modification is requested, in view of the fact the classrooms will be restricted to the 1st to 4th floors inclusive; that there is one 4 ft. wide open stairway and a 2 ft. 7 in. steel fireproof enclosed stair leading from the sub-cellar to the roof; that the fireproof stair is accessible from the cellar through the areaway at the front of the building, which leads directly to the street; also, at the 1st floor at the front of the building by means of a stoop leading direct to street; that the building has an automatic elevator leading to all floors, fully enclosed.

WHEREAS, this appeal was granted by the board July 18, 1939, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted July 18, 1939, only so

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far as it has reference to the requirements for the installation of the manual interior alarm system, so that as amended the resolution shall read:

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 2120-39, Items 1 and 2, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be no classrooms for pupils above the 4th floor; that the building shall not be increased in height or area; that the ceilings throughout the cellar and sub-cellar shall be fire-retarded; that the room in which any heating boiler or boiler for domestic hot water purposes is installed, shall be separated from the balance of the building by fireproof walls and fireproof self-closing doors, unless New York steam service is maintained for such purposes; that the elevator and enclosure shall meet all the requirements of the present Building Code; that the present main stairway shall be removed and a new stairway from sub-cellar to and through the roof shall be constructed enclosed as required by the Building Code with an exit directly to Madison avenue through a hallway enclosed in fire-retarded partitions with any doors therein leading to any parts of the building on the 1st floor, fireproof and self-closing; that the existing fireproof service stair shall be maintained with exit to the roof and safe exit through the cellar to the areaway on 78th street, permitting direct exit to the street; that any doors to the stairway shall be fireproof and self-closing; that in addition there shall be an exterior fire-escape constructed either on 78th street or Madison avenue for the full height of the building, leading to the roof, with an intermediate railing around the well holes and stairwells; that the stairs of such fire-escape shall not exceed 60 degrees and that the clear width of the stairway shall not be less than 22 in.; that the occupancy of the building shall not exceed the legal permissible requirements for the exits; that in addition, a sprinkler system shall be installed in the kitchen area and in the work shops and store rooms in the cellar; that such sprinklers may be connected to the domestic water supply system of the building and there shall be installed on the 78th street side, a single siamese for fire department connection; that the iron guards on the windows at the basement or cellar level shall be removed along the areaway of 78th street; that steps shall be constructed on the roof to permit exit to the top of the parapet, for escape in case of fire to the building next adjoining on the north; that this modification shall continue only so long as the building is occupied as a private school as herein proposed; that fire drills shall be periodically maintained under the direction of the instructors in charge and a manual interior alarm system shall be installed with one station centrally located with one gong on each floor to give alarm in case of fire; that during the occupancy of the building, the gate in the fence along 78th street shall be openable from the inside to permit exit; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1096-39-A.

APPLICANT—John D. Anderson, for National Gypsum Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—West side of Cabot street, 138 ft. west of Truxton street, west side, and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2 and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: M. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1096-39-A)

WHEREAS, John D. Anderson for National Gypsum Company, owner, filed August 25, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises west side of Cabot street, 82.03 ft. south of Oak Point avenue (Block No. 2605, Lot Nos. 350 and part of Lot No. 2; Block No. 2606, part of Lot No. 3), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 653-39, dated July 28th, 1939, reads:

"1. The building consisting of a structural frame with corrugated asbestos walls and roof is a class 5—metal structure. Sec. 3.2.5 Building Code.

Class 5 factories are limited to one story and 30 feet in height and 15,000 square feet in area. The building exceeds the lawful height and area limits. Sec. C26-254.0 Adm. Code. Sec. 4.2.1 Building Code."

and

WHEREAS, the proposed building will be two (2) stories, 50 ft. in height, 100 ft. by 800 ft. in area at 1st floor, 40 ft. by 800 ft. in area at 2nd floor; of class 5 construction; located in an unrestricted use "A" area district, to be occupied 1st floor—storage of gypsum plaster and board, metal lath, etc.—12 persons; 2nd floor—manufacture of gypsum board and office—12 persons; and

WHEREAS, the applicant contends that the building will be supported on reinforced concrete footings on concrete piles and will have a structure steel frame with roof trusses, roof and floor beams supported on steel columns; that the roof of the two-story section will be reinforced gypsum slab covered with composition roofing; that the roof of the one-story section will be corrugated asbestos; that the 2nd floor will be of reinforced concrete on steel beams; 1st floor, concrete slab on earth; 1st floor side walls of corrugated asbestos, except at the north end where precast concrete blocks will be used; that the 2nd floor side walls will be precast concrete blocks throughout; that the stair enclosures will be concrete blocks; that ventilated steel sash will be used throughout except in the small office portion at the north end where double-hung wood sash will be provided; that it would be impracticable to provide the required amount of space in separate buildings constructed in accordance with the Code or to divide the warehouse section into small areas by partition walls; that the building is designed to accommodate on the 2nd floor a continuous board machine about 700 ft. long; that the building proposed is of similar construction to those already permitted by the Board on the same plot.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 653-39, be and it hereby is *modified*, as to Objection No. 1, and that the appeal be and it hereby is *granted* so as to permit the construction of the building substantially as indicated on plans filed with the borough superintendent of buildings, and granted only so long as the building is used as proposed for the manufacture of gypsum products and other incombustible materials as manufactured by the National Gypsum Company, except for materials as may be necessary in the process of manufacture; that the corrugated asbestos proposed for the side walls on the 1st story and roof shall be of approved make; that in all other respects, except as herein modified and as modified under Cal. No. 1097-37-S, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1099-39-A.

APPLICANT—Harley and Ellington, for Liebmann Breweries, Inc., owner.

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SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—51-67 Monticth street, north side, 125 ft. west of Evergreen avenue (Block No. 3140, Lot Nos. 20 and 25 to 28 inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harold S. Ellington.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1099-39-A)

WHEREAS, Harley & Ellington, for Liebmann Breweries, Inc., owner, filed September 5, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 50-67 Montieth street, north side 125 ft. west of Evergreen avenue (Block No. 3140, Lot Nos. 20 and 25 to 28, incl.), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on N.B. Applic. No. 2425-39, dated September 5, 1939, reads:

"1. Interior columns, beams and girders should be fireproofed, as required by Sections 10.2.1 and 10.2.5 of the Building Code."

and

WHEREAS, the proposed building will be three (3) stories, 67 ft. 2 in. in height, 101 ft. 6 in. by 90 ft. in area, of class 1 construction, located in an unrestricted use "B" area district, occupied for the storage of beer in steel tanks—8 employees throughout the building; and

WHEREAS, the applicant contends that the entire building will be refrigerated with ammonia pipes; that the interior of the building will be subject to very high humidity from wash water and this moisture penetrates the fireproofing, causing the steel to rust and rapidly corrode; this corrosion, together with freezing temperatures crack and destroy the concrete fireproofing even when anchored to the steel with wire mesh and that it is not possible to protect the steel girder against serious destruction. It is proposed to leave the interior steel columns and floor beams without fireproofing so that some will be visible for regular inspection and can be preserved by painting with special metal protective paints manufactured for this particular purpose; that there will be no heat in the building and that all contents will be liquid.

Resolved, that the decision of the acting borough superintendent, on N.B. Applic. No. 2425-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the omission of the fireproofing on interior columns, beams and girders, as proposed, *on condition* that the steel shall be protected at all times with approved metal protective paint; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1108-39-A.

APPLICANT—Boris W. Dorfman, for Boardwalk Building Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—42-12 to 42-26 43rd avenue and 43-06 to 43-10a 43rd street, southwest corner (Block No. 163, Lot No. 25), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Louis J. Moss and Boris W. Dorfman.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1108-39-A)

WHEREAS, Boris W. Dorfman, for Boardwalk Building Corporation, owner, filed September 7, 1939, an appeal from a decision of the Borough Superintendent of Buildings affecting premises 42-12 to 42-26 43rd Ave., and 43-06 to 43-10A 43rd Street, southwest corner (Block No. 163, Lot No. 25), Borough of Queens, and

WHEREAS, the decision of the Borough Superintendent on New Building Application 3352-39 reads:

"In every floor area below ground, 2 exits are required leading direct to the street level—(Sec. 6.1.2.2.3 and Sec. 6.4.1.11)"

WHEREAS, the proposed building will be 16 feet in height, 100 by 95 feet in area, of Class 3 construction, located in a business use district and to be occupied, cellar—storage, first floor—stores; and

WHEREAS, the applicant contends that the cellar will be used for storage only, that the access to the cellar will be through the stores with the stairways enclosed with fireproof material with fireproof doors at the openings; fireman's ladders will be provided through areaways leading direct to the cellar.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 3352-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the space in the cellar assigned to the stores, shall be separated one from the other by partitions of fireproof material; that the stairway from each one of these cellar spaces to the store above shall be by means of stairway enclosed in fireproof material with self-closing door either at top or bottom; that access to the street shall also be provided by means of sidewalk hoists, either one for each cellar store space or from a common corridor to which each space has access; that ladders shall be installed in each such hoistway; that in all other respects the buildings and occupancy shall comply with all laws, rules and regulations applicable thereto.

1109-39-A.

APPLICANT—Boris W. Dorfman, for Boardwalk Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—43-12 43rd street, west side, 100 ft. south of 43rd avenue (Block No. 163, Lot No. 25), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Boris W. Dorfman and Louis J. Moss.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1109-39-A)

WHEREAS, Boris W. Dorfman for Boardwalk Building Corporation, owner, filed September 7, 1939, an appeal from a decision of the Borough Superintendent of Buildings affecting premises 43-12 43rd Street, W. S. 100 ft. south of

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43rd Avenue (Block No. 163, Lot No. 25) Long Island City, Borough of Queens, and

WHEREAS, the decision of the borough superintendent of buildings N.B. Application No. 3934, dated September 5, 1939, reads:

"1. In every floor area below ground, 2 exits are required leading direct to the street level—(6.1.2.2.3) and (6.4.1.11).

"2. One required means of egress from the store floor is dependent on the passageway it is proposed to eliminate (Sec. 6.1.1.2.2.2)."

WHEREAS, the proposed building will be one story 15 feet 6 inches in height, 60 by 95 feet in area of Class 3 construction, located in a business use district and occupied, cellar, storage; first floor, public market; and

WHEREAS, the applicant contends the cellar will be used for storage purposes only; that it is proposed to install two stairways on the interior of the store leading to the cellar; one stairway will be enclosed with terra cotta blocks equipped with fireproof doors; two engineers ladders will be provided at the front of the building leading from street to cellar; double doors will be provided at the front of the building; that the construction of the bulkhead from the store to the cellar and passageway from the cellar to the street would create confusion and be a serious hazard; that it would also affect the design of the exterior of the building; that in lieu of compliance with the decision of the borough superintendent it is proposed to provide an enclosed stairway to the roof with egress to a 15,000 square foot roof area fronting on two streets;

Resolved, that the decision of the borough superintendent of buildings, on N.B. applic. No. 3934, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the cellar shall be used for the storage of merchandise only and that no customers shall be permitted therein; that there shall be two (2) stairways, one removed from the other, enclosed in fireproof material with self-closing door at the bottom; that there shall be two (2) sidewalk hoistways provided, each equipped with a ladder; as to Objection No. 2, there shall be a second means of exit from the store floor, provided each shall consist of a stairway toward the rear leading to bulkhead in the roof, and not less than 3 ft. in width, giving access to the roof of the adjoining building being constructed under Applic. No. 3352-39, to 43rd avenue; that at least two (2) portable ladders shall be placed upon the roof, of sufficient length to give access from the top of the parapet to the sidewalk; that no paint, oils or other combustible materials shall be stored in the building; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building is occupied, as proposed, as a public market for foodstuffs.

VARIATIONS OF LABOR LAW

397-22-S.

APPLICANT—Albert E. Straker, for John J. Cavanagh, owner.

SUBJECT—Application for consideration—reopening—re Variation of the Labor Law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—256 West 23rd street, south side, 175 ft. east of Eighth avenue (Block No. 772, Lot No. 75), Borough of Manhattan.

APPEARANCES—

For Applicant: Albert E. Straker.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative 0
Absent 0

THE RESOLUTION—

(397-22-S)

WHEREAS, Joseph Mitchell for Emideo Mele and Samuel Were, owners, filed March 15, 1922, a petition with the Board of Standards and Appeals for a variation from the requirements of the Labor Law as cited in orders of the Fire Commissioner affecting premises 256 W. 23rd St. (Block No. 772, Lot No. 75), Borough of Manhattan; and

WHEREAS, the orders of the fire commissioner read:

No. 31770 LD—

"1. Enclose the interior stairway at east side of building * * *"

No. 31771 LD—

"1. Arrange the fire escape on rear of building and opening leading thereto * * *"

and

WHEREAS, the building is non-fireproof, 7 stories in height, 25 ft. by 90 ft. in area, occupied as a tenant factory with not more than 20 persons employed in any one story; and

WHEREAS, this petition was granted by the board May 9, 1922, on certain conditions and present owner (John J. Cavanagh), requested an amendment of the resolution, a violation having been filed by the Dept. of Housing and Buildings. No. 1359-1939 reading:

"Please take notice that there exists a violation of Sec. 274 of the labor law * * *

"In that rear fire escape is defective in the following * * *

"No safe egress from termination of fire escape * * *

Resolved, that the resolution adopted by the Board on May 9, 1922, be and it hereby is *amended*, so that as amended it shall read:

Resolved, that the Board of Standards and Appeals does hereby make a variation from the requirements of the labor law and that the petition be and it hereby is *granted on condition* that the work stipulated in the recommendation of the Chief of the Bureau of Fire Prevention be complied with.

Resolved further, that in the event a safe egress cannot be maintained to the roof of the 1st story extension to the west, means may be provided in the form of a 60 degree ladder or stairway leading to a door in the fence to the adjoining yard to the east, from which unimpeded access to West 23rd Street may be had at all times through the hallway of the 1st story of building at No. 254; that in all other respects all laws, rules and regulations shall be complied with and granted only so long as the conditions are substantially maintained as set forth.

905-39-S.

APPLICANT—M. P. Berglas Mfg. Co., owner.

SUBJECT—Variation of the Labor Law as cited in orders and a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—8-10 Fulton street and 1-13 Furman street, S.E. corner and 1-11 Doughty street (Block No. 200, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. M. Stanford.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to September 19, 1939, 2 P. M., pending receipt of building department folder; also decision of board.

1097-39-S.

APPLICANT—John D. Anderson, for National Gypsum Company, owner.

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SUBJECT—Variation of the Labor Law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—West side of Cabot street, 138 ft. west of Truxton street, west side, and 82.03 ft. south of Oak Point avenue to East River (Block No. 2605, Lot No. 350 and part of Lot No. 2 and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: M. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1097-39-S)

WHEREAS, John D. Anderson, for National Gypsum Company, owner, filed August 25, 1939, an application for a variation of the requirements of the labor law, as cited in a decision of the borough superintendent of buildings, affecting premises west side of Cabot street, 82.03 ft. south of Oak Point avenue (Block No. 2605, Lot No. 350 and part of Lot No. 2; Block No. 2606, part of Lot No. 3), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 653-39, dated July 28th, 1939, reads:

"2. Exit facilities are inadequate. No point in any floor area shall be more than 100 ft. from a lawful exit. Sec. 270, Labor Law."

and

WHEREAS, the proposed building will be two (2) stories, 50 ft. in height, 100 ft. by 800 ft. in area at 1st floor, 40 ft. by 800 ft. in area at 2nd floor; of class 5 construction; located in an unrestricted use "A" area district, equipped with three (3) interior stairs, 2 located at the north end, one at the south end, one of which will run to a bulkhead in roof; all stairs will be fireproof enclosed, equipped with fireproof doors; the building is to be occupied: 1st floor—storage of gypsum plaster and board, metal lath, etc.—12 persons; 2nd floor—manufacture of gypsum board and office—12 persons; and

WHEREAS, the applicant contends that only 12 employees will be required on each floor; that more than 30 doors will be provided on the 1st floor for shipping and receiving materials; that on the 2nd floor the office employees will be not more than 50 ft. from an exit; that due to the fact that the employee operating the board machine will be required to work at the ends of the machines they will be within 100 ft. of the exits, and that there is a cat walk to first floor at about the center of the 2nd floor.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the labor law, and that the application be and it hereby is granted, as to N.B. Applic. No. 653-39 Objection No. 2, on condition that at no time there shall be more than 10 persons employed on the 2nd floor other than the persons in the enclosed office, as shown; that the enclosed stairways, as shown at either end of the building shall be maintained; that toward the center of the building there shall be maintained at all times some unimpeded method of reaching the 1st floor; that in all other respects, except as herein modified and as modified in Cal. No. 1096-39-A, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and granted only so long as the building is used as proposed, for the manufacture of gypsum products and other incombustible materials, as manufactured by the National Gypsum Company, except for materials as may be necessary in the process or manufacture.

BUILDING ZONE CASES

424-17-BZ.

APPLICANT—John T. Dooling, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings) under section 7e of the building zone resolution, permitting in a business use district, the erection of one story garage.

PREMISES AFFECTED—Northwest corner of Fordham road and Hoffman street (Block No. 3273, Lot No. 293), Borough of The Bronx.

APPEARANCES—

For Applicant: John T. Dooling.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

302-29-BZ.

APPLICANT—Conroy and Hardy, for John Sklar Holding Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting partly in a residence use district and partly in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—146-156 East 98th street, northwest corner of Winthrop street (Block No. 4614, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(302-29-BZ)

WHEREAS, this application affecting premises 146-156 East 98th street, northwest corner of Winthrop street (Block No. 4614, Lot No. 38), Borough of Brooklyn, was granted by the board, July 26, 1929, on certain conditions, time extended from time to time and applicant requests a further extension.

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted by the board on July 26, 1929, only so far as it has reference to obtaining permits and the completion of work, so that as amended this portion of the resolution shall read:

"... that all permits shall be obtained and all work shall be completed within one year from the date of this amended resolution on condition that other than as amended herein the resolution adopted by the board on July 26, 1929 shall be complied with in all respects."

366-32-BZ.

APPLICANT—Aaron A. Roth, for Estate of Sarah Cook Montague, owner, Joseph E. Montague and George M. Thomson, executors.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district, the maintenance of a motor vehicle repair shop.

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PREMISES AFFECTED—1385-1395 Webster avenue (Block No. 2887, Lot Nos. 151-155 inclusive), Borough of The Bronx.

APPEARANCES—

For Applicant: Aaron A. Roth.

ACTION OF BOARD—Application reopened and set for hearing October 3, 1939, 2 P. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

167-34-BZ.

APPLICANT—Imperial Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the change of occupancy of an existing building to a motor vehicle repair shop for a temporary period (time having expired).

PREMISES AFFECTED—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue N (Block No. 6749, Lot No. 78), Borough of Brooklyn.

APPEARANCES—

For Applicant: Andrew Ciafolo.

ACTION OF BOARD—Application reopened and set for hearing October 10, 1939, at 2 P. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

95-35-BZ.

APPLICANT—Frank V. Laspia, for Stanley Gorski, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7a of the building zone resolution, permitting in a residence use district, the change of occupancy of an existing building (located on the rear of the lot) to a knitting mill for a temporary period.

PREMISES AFFECTED—423 Barbey street, east side, 150 ft. north of Belmont avenue (Block No. 4013, Lot No. 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Augusta.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(95-35-BZ)

WHEREAS, Frank V. Laspia, for Stanley Gorski, owner, filed April 11, 1935, an application under the building zone resolution to permit in a residence district the change of occupancy of an existing building (located on the rear of the lot) to a knitting mill; premises: 423 Barbey street, east side, 150 feet north of Belmont avenue (Block No. 4013, Lot No. 3), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board July 16, 1935, on certain conditions for a temporary period of two years, this period extended June 15, 1937 and applicant requests a further extension.

Resolved, that the Board of Standards and Appeals does

hereby amend its resolution adopted on July 16, 1935, only so far as it has reference to the term of the permit, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7(a) for a period of two years from the date of this amended resolution, permitting the extension of the existing business use, namely, knitting mill, into the rear building which was approved by the commissioner of buildings under N.B. 8910-1932 as a private garage accessory to the residential building, on condition that this rear building shall not be increased in height or area; that any lot line windows opening on adjacent property shall be fireproof and self-closing and glazed with wire glass; that the ceilings shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that this building shall not be used for any purpose other than the present use, namely, as a knitting mill; that all machinery shall be removed from the first floor of the existing three-story building on the front of the lot, except sewing machines and similar light machines; that the front of the three-story building shall not be altered and no signs advertising the non-conforming use shall be displayed on the front of the building or elsewhere on the exterior of the premises; that all permits shall be obtained within three months and all work completed within six months from the date of this resolution."

181-36-BZ.

APPLICANT—Lama and Proskauer, for Joseph Weiss Co., Inc., owner.

SUBJECT—Application for consideration—reopening—amendment and approval of plans—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting the extension from an unrestricted use district into a business use district of a proposed gasoline service station.

PREMISES AFFECTED—1490-1498 Linden boulevard, south side, 478 ft. 4½ in. east of Rockaway avenue (Block No. 3644, Lot No. 85), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(181-36-BZ)

WHEREAS, Irving Kirshenblit, for Joseph Weiss Co., Inc., owner, filed June 12, 1936, an application under the building zone resolution to permit the extension of an unrestricted use district into a business use district of a proposed gasoline service station; premises: 1490-1498 Linden boulevard, south side, 478 ft. 4½ in. east of Rockaway avenue (Block No. 3644, Lot No. 85), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board Dec. 8, 1936, resolution amended November 9, 1937 and applicant requests approval of plans.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of December 8, 1936, as amended by resolution adopted November 9, 1937, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted,

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under section 21, to permit the plot under appeal to be occupied as a gasoline service station, *on condition* that the plot shall be levelled substantially to the grade of Linden boulevard; that the accessory buildings and arrangement of pumps shall be as shown on plans marked 'Approved January 22, 1937'; that no pumps shall be erected nearer than 15 ft. to street building line; that there shall be erected along the exterior lot line, where walls of the accessory building do not occur, a heavy woven-wire fence not less than 6 ft. in height; that the accessory building shall be constructed of fireproof materials, except that the roof beams and roof boarding, window frames and sash door frames and doors may be of wood, provided the ceilings throughout are fire retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be no openings in the side line walls to adjoining premises; that the front of the section for lubrication shall be without closure doors; that the entire plot where not occupied by the accessory building and except for the rear triangle behind the accessory building, shall be cement-paved; that there shall be erected along the street building line, a reinforced concrete curbing not less than 12 inches in width and 6 inches in height with rounded top, except for two entrances, each 25 ft. in width, with curb cuts opposite not exceeding 25 ft. in width each; that no part of any entrance shall be nearer than 5 ft. to either side lot line; that advertising shall be restricted to illuminated globes of the gasoline pumps and to permanent signs attached to the facade of the accessory building, excluding all roof signs and temporary signs, but permitting the erection within the building line of two post standards for supporting signs which may be illuminated, advertising only the brand of gasoline for sale; that no portable gasoline pumps shall be used on or from the premises; that no automobile repairing shall be carried on and no parking or storage of automobiles other than those being serviced; and that all permits shall be obtained and all work shall be completed within one year from the date of this amended resolution."

"Resolved further, that the plans marked 'Received July 31, 1939' are hereby approved as amending plans approved January 22, 1937, only so far as they show the general arrangement and design of the accessory building, provided in all other respects the resolution as amended July 9, 1937, shall be complied with."

418-37-BZ.

APPLICANT—Lauritz Lauritzen, for Louis Frisse, owner.

SUBJECT—Application for consideration—reopening and extension of time re Application (decision of the borough superintendent of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—115-125 Myrtle avenue, north side, 22.89 ft. east of 116th street (Block No. 9257, Lot No. 57), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Lauritz Lauritzen.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(418-37-BZ)

WHEREAS, Lauritz Lauritzen, for Louis Frisse, owner,

filed August 25, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 115-125 Myrtle avenue, northside, 22.80 ft. east of 116th street (Block No. 9257, Lot No. 57), Richmond Hill, Borough of Queens; and

WHEREAS, this application was granted by the board January 17, 1939, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of January 7, 1939, only so far as it has reference to the time within which to obtain permits and complete the work, so that as amended, that portion of the resolution shall read:

"That all permits required shall be obtained and all work completed within three months from the date of this amended resolution."

458-37-BZ.

APPLICANT—Lama and Proskauer, for East Brooklyn Savings Bank, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (re decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and a motor vehicle repair shop and also the establishment of a gasoline service station.

PREMISES AFFECTED—374-386 Willoughby avenue and 903-907 Bedford avenue, southeast corner (Block No. 1762, Lot Nos. 32 and 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(458-37-BZ)

WHEREAS, this application affecting premises 374-376 Willoughby avenue and 903-907 Bedford avenue, southeast Corner (Block No. 1762, Lot No. 32 and 36), Borough of Brooklyn, was granted by the Board February 15, 1938, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of February 15, 1938, only so far as it has reference to the time within which to obtain permits and complete the work, so that as amended it shall read:

"That in view of the approval of working drawings as herein required, all permits shall be obtained and all work completed within one year from the date of this amended resolution."

630-38-BZ.

APPLICANT—Bethlehem Engineering Corporation, for Mutual Life Insurance Company, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings) under sections 7h, 7c and 7g of the building zone resolution, permitting partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and

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garage for more than five (5) motor vehicles.
PREMISES AFFECTED—118-134 Park avenue, west side, from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Floyd Brown.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(630-38-BZ)

WHEREAS, this application affecting premises 118-134 Park avenue, west side, from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan was granted by the board September 27, 1938, plans approved by resolution May 23, 1939, and applicant now requests an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of Sept. 27, 1938, as amended by resolution of May 23, 1939, only so far as it refers to obtaining permits and completing the work, so that as amended there shall be added thereto:

"That all permits shall be obtained and all work completed within one year from the date of this amended resolution."

803-38-BZ.

APPLICANT—W. H. and J. F. Dusenbury, for Estate of Leopold Rossbach, owner (Laurence B. Rossbach, trustee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3901-3911 White Plains avenue, northwest corner of East 222nd street (Block No. 4824, Lot Nos. 4 and 7), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph F. Dusenbury.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(803-38-BZ)

WHEREAS, this resolution affecting premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block No. 4824, Lot Nos. 4 and 7), Borough of The Bronx, was granted by the board January 24, 1939, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of January 24, 1939, only so far as it has reference to the time within which to obtain permits and complete the work, so that as amended it shall read:

"That all permits shall be obtained and all work com-

pleted within four months from the date of this amended resolution."

268-39-BZ.

APPLICANT—R. H. Shreve, Chairman of Board of Design, for Metropolitan Life Insurance Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence and retail use district a variation as to the level of rear yard.

PREMISES AFFECTED—East side of Unionport road, 417.5 ft. south of East Tremont avenue (Building N2) and north side of Metropolitan avenue, 195.5 ft. west of Purdy street (Building N12); (Block No. 3944, part of Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph P. Cosenza.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

821-39-BZ.

APPLICANT—Koch and Wagner, for Bohack Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a business use district, the erection of an accessory building (lubritorium) on an existing gasoline service station.

PREMISES AFFECTED—48-01 to 48-19 Queens boulevard, northwest corner of Roosevelt avenue (Block No. 139, Lot No. 1), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Arthur R. Koch.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

927-39-BZ.

APPLICANT—James F. Reynolds and Henry Nordheim, for Fred and Edward Rosenberger, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a residence and business use district, the parking of more than five (5) cars.

PREMISES AFFECTED—654 City Island avenue, southeast corner of Bridge street (Block No. 5636, Lot No. 31), City Island, Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

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APPLIANCES SUBMITTED FOR APPROVAL

187-33-SA.

APPLICANT—Oil Equipment Laboratories, Inc., owner.
SUBJECT—Application for consideration—reopening and amendment re Additional name "Rite" Silent Burner.

APPEARANCES—

For Applicant: Joseph G. Cardinal.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(187-33-SA)

WHEREAS, Charles M. Spindler, for Oil Equipment Laboratories, owner, filed, May 17, 1933, an application with the Board of Standards and Appeals for approval of their device known as the Rotoflame Oil Burner; and

WHEREAS, this device was submitted to the fire department for test and report, and a report of the assistant chief of the Bureau of Combustibles, Fire Department, dated June 26, 1933, recommends the approval of this device; and

WHEREAS, this device was approved by the board July 14, 1933, on certain conditions and owner through his agent David Kaufman requested permission to market this device as the 'Imperial Oil Burner' and in a request dated March 25, 1939 requested permission to market this burner as the 'Home Utility Oil Burner' in the Borough of Richmond and now request permission to market the burner as the "Rite" Silent Burner.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of July 14, 1933, as amended by resolution adopted by the board on February 4, 1937, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the device known as the 'Rotoflame Oil Burner' hereafter to be known as the 'Rotoflame Gcm Oil Burner', for use in domestic and commercial installation, for use with oil not heavier than No. 3, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals; that all installations shall bear a permanently fixed label reading as follows:

NOTICE

Approved by the

BOARD OF STANDARDS AND APPEALS

For Use in New York City

Under Cal. No. 187-33-SA.

Resolved further, that this device may also be marketed under the name 'Imperial Oil Burner', and as the 'Home Utility Oil Burner', in the Borough of Richmond, and as 'Rite' Silent Burner on condition that under whichever name marketed, the requirements herein shall be complied with."

248-37-SA.

APPLICANT—John J. Morro, for Paragon Oil Burner Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment to include additional models—Paragon Oil Burner, Models A50, A75, A180, Af20 and AB20—approval of.

APPEARANCES—

For Applicant: John J. Morro.

ACTION OF BOARD—Application reopened and referred to committee on tests.

THE VOTE TO REOPEN AND REFER TO COMMITTEE ON TESTS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

372-32-SA.

APPLICANT—Safand Shur Chemical Co., Inc., owner.
SUBJECT—Application for consideration—reopening for further tests re Safand Shur Fire Extinguisher—approval of.

APPEARANCES—

For Applicant: William J. Gannon.

ACTION OF BOARD—Application reopened and referred to engineer of board, for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

MATERIALS SUBMITTED FOR APPROVAL

292-39-SM.

APPLICANT—Charles A. Luisi, owner.

SUBJECT—L. A. Cement Blocks—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(292-39-SM)

WHEREAS, Charles A. Luisi, owner, filed March 8, 1939, an application with the Board of Standards and Appeals for approval of the material known as L. A. Cement Blocks; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 292-39-SM.

Subject: L. A. Cement Blocks—

Approval of.

May 23, 1939.

On March 8, 1939, Charles A. Luisi, owner, filed an application for approval of the use of L. A. Cement Blocks, pursuant to Section C26-309.0 (7.1.1.4) Administrative Building Code. These blocks are made in the following sizes, 8 x 12 x 16-in. solid foundation blocks, 8 x 8 x 16-in. solid foundation and wall blocks, 8 x 8 x 16-in. hollow partition or wall blocks.

On April 21, 1939, compression tests were made at Columbia University on the three sizes of blocks as laid in the wall, in accordance with the requirements of Section C26-309.0 (7.1.1.4) Administrative Building Code. The methods of tests were those prescribed in Section C26-326.0 (7.2.1) by the Administrative Building Code. Results of tests were as follows:

8" x 8" x 16" Hollow Block — Average compressive strength 1330 lbs. p. s. i.

8" x 8" x 16" Solid Block — Average compressive strength 2300 lbs. p. s. i.

8" x 12" x 16" Solid Foundation Block—Average compressive strength 1670 lbs. p. s. i.

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In addition thereto and on April 27, 1939, additional tests were made at Columbia University on piers constructed of 8 x 8 x 16-in. solid blocks and 8 x 8 x 16-in. hollow blocks. One pier was constructed of the 8 x 8 x 16-in. solid blocks laid in a 1:3 mortar consisting of high early strength Portland cement and three parts Cowboy sand with sufficient water added to produce mortar of job consistency. The results of these tests were as follows:

8" x 8" x 16" Solid Blocks — Average compressive strength 1210 lbs. p. s. i.

8" x 8" x 16" Hollow Blocks — Average compressive strength 890 lbs. p. s. i.

Due to the fact that these piers were tested at age three days, the additional precaution of determining the compressive strength of the mortar was taken and the average compressive strength of three 2" x 2" x 2" cubes was 1856 lbs. p. s. i. at age 72 hours, the age at which the piers were tested. The reason for making these additional tests consisting of piers constructed of two of the types of block submitted, was a precaution if in the event that the direction in the Code that blocks should be tested "as laid in the wall" should be determined to require the construction of a pier, these tests would be available. It is the opinion of the Committee that the direction in the Code to test as laid in the wall does not require the construction of a wall, but rather that the masonry units should be tested in the position in which they are laid in the wall. Therefore, these additional pier tests are to be disregarded.

As a result of the tests made on April 21, 1939, at Columbia University referred to above, wherein the 8 x 8 x 16-in. solid blocks and the 8 x 12 x 16-in. solid foundation blocks did not meet the minimum requirements of Section C26-309.0, paragraph E, for a minimum ultimate compressive strength of 2500 lbs. per square inch, the Committee has required additional tests of these two blocks. At the request of the applicant, however, the Committee recommends that the 8 x 8 x 16-in. hollow blocks, which showed an average compressive strength of 1330 lbs. per square inch when tested April 21, 1939, at Columbia University, be approved and that the action of the Board on the other two blocks be held in abeyance, pending the result of further tests. The Committee accordingly recommends that the 8 x 8 x 16-in. 3-cell hollow concrete blocks, known as the L. A. Cement Blocks, be approved for use in New York City, pursuant to Section C26-309.0, paragraph A and paragraph D, subject to the maximum allowable compressive stress of 1/10 of the ultimate compressive strength, where cement mortar is used, and 1/12 of the ultimate compressive strength where lime mortar is used, and on the further condition that when used in accordance with paragraph D of Section C26-309.0 (7.1.1.4) of the Administrative Building Code in partitions the blocks shall be marked on their face with two readily discernible parallel grooves to indicate such units are for use in partitions and that each block delivered for use, shall be not less than 28 days old.

These blocks when used in walls or partitions shall be laid plumb and true, set to bond with broken joints. Where blocks are set with cells horizontal, they shall be laid in a full bed of mortar not greater than 1/2-inch with vertical joints buttered full on webs and walls. When blocks are laid with cells vertical the bearing surface shall be buttered and vertical joints slushed full of mortar. Wherever walls or partitions intersect, the blocks shall be squarely keyed or anchored by means of ties. Further on condition that each shipment of blocks shall be accompanied by a delivery slip which shall contain the following inscription: "Ap-

proved by the Board of Standards and Appeals for use in New York City under Cal. 292-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this material was approved May 23, 1939, and applicant requested approval of additional material; and

WHEREAS, the report of the committee on tests on this additional material read:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 292-39-SM.

Subject: L. A. Cement Blocks, Approval of.

Reopening and amendment of Resolution.

September 11, 1939.

On March 8, 1939, an application was filed by Charles A. Luisi for the approval of L. A. 8" x 8" x 16" 3-cell Hollow Cement Blocks, 8" x 8" x 16" solid concrete blocks and 8" x 12" x 16" solid concrete foundation blocks for use in New York City, pursuant to Section C26-309.0 (7.1.1.4) of the Administrative Building Code.

The 8" x 8" x 16" 3-cell hollow blocks were approved by the Board May 23, 1939. The solid blocks were the subject of additional tests performed at Columbia University September 6, 1939, with the following results:

	Ultimate Compressive Strength (Average of six specimens)
8" x 8" x 16" solid blocks	3150 P.S.I.
8" x 12" x 16" solid foundation blocks	2893 P.S.I.

It is accordingly recommended that L. A. 8" x 8" x 16" solid concrete blocks and 8" x 12" x 16" solid concrete foundation blocks be approved for use in New York City, pursuant to Section C26-309.0, paragraphs B and D of the Administrative Building Code (7.1.1.4), subject to the maximum allowable compressive stress of 1/10 of the ultimate compressive strength where cement mortar is used and 1/12 of the ultimate compressive strength where lime mortar is used, and on the further condition that each block delivered for use shall be not less than 28 days old.

These blocks when used in walls or partitions shall be laid plumb and true, set to bond with broken joints. Wherever walls or partitions intersect, the blocks shall be squarely keyed or anchored by means of ties.

It is further recommended that all blocks approved under this application (Cal. No. 292-39-SM) be marked with a die consisting of two lines, the top line to read "BSA" and the second line to read "292-39-SM."

The resolution adopted by the Board May 23, 1939, should be amended so as to omit the following: ", and on the further condition that when used in accordance with paragraph D of Section C26-309.0 (7.1.1.4) of the Administrative Building Code in partitions, the blocks shall be marked on their face with two readily discernible parallel grooves to indicate such units are for use in partitions." It is the opinion of the Committee that this requirement is applicable only to blocks having an ultimate compressive strength of 300 lbs. per square inch, the use of which is limited to partitions.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

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and

WHEREAS, these reports recommended the approval of this material, under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as L. A. Cement Blocks, on condition that the material be manufactured, used and labelled, stamped or marked in accordance with above reports.

1030-39-SM.

APPLICANT—M. L. Khau.

SUBJECT—Approval of "Seven Castles" Brand Foreign Portland Cement and "Temple" Brand Foreign Portland Cement (Yugoslavian Portland Cement), 14120 bags each (4th shipment) imported by M. L. Khau.

APPEARANCES—

For Applicant: M. L. Khau.

ACTION OF BOARD—Material approved.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1030-39-SM)

WHEREAS, M. L. Khau filed August 9, 1939, an application with the Board of Standards and Appeals for approval of "Seven Castles" and "Temple" Brand Yugoslavian Portland Cement, 14120 bags each, 4th shipment; and

WHEREAS, this material was referred to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 1030-39-SM.

Subject: Approval of Yugoslavian Portland Cement under trade names of "Seven Castles" and "Temple".

September 12, 1939

On August 9, 1939, M. L. Khau of New York City, filed with the board a request for the approval of a shipment of foreign cement consisting of 14,120 bags of "Seven Castles" brand and 14,120 bags of "Temple" brand, made in Yugoslavia. Samples of these materials were selected by a representative of the Board of Standards and Appeals and tests were conducted by the laboratory of R. W. Hunt Co., New York City.

The results of these tests indicate that the physical and chemical analysis of these cements were well within the requirements of the A.S.T.M. The tensile strengths were as follows:

Average of Six Specimens	7 days	28 days
"Seven Castles" Brand	318 P.S.I.	388
"Temple" Brand	365 P.S.I.	430
A.S.T.M. (not less than)	275 P.S.I.	350

(Report No. 71 815-6)

Copies of the R. W. Hunt Company's tests on these cements are filed with this application. On the basis of this data, it is recommended that the foreign shipment of 14,120 bags of "Seven Castles" brand Portland Cement and 14,120 bags of "Temple" brand Portland Cement, which arrived on the S.S. Ida, be approved for use in New York City under C26-312.0 A. C. (7.1.1.7.5), for use wherever the use of Portland Cement is required, and that each bag be stamped with a large Arabic 2, but that in the future such cements as may be imported by M. L. Khau be stamped, marked or labelled at the place of origin, "Approved for use in New York City by the Board

of Standards and Appeals under Cal. No. 1030-39-SM," and to be subjected to tests as provided herein.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby approve for use in New York City, 14,120 bags of "Seven Castles" Brand Portland Cement and 14,120 bags of "Temple" Brand Portland Cement when used and stamped, labelled or tagged, in accordance with the above report.

Adjourned, 4:00 P. M.

EDWARD V. BARTON, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on July 18, 1939, as they appeared in Bulletin No. 30, Vol. 24, are hereby corrected to read as follows:

297-39-BZ.

APPLICANT—Ervin Palmer, for Wilson and Company, Inc., owner (H. Chazen, Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—842 First avenue and 400 East 47th street, southeast corner (Block No. 1358, part of Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: Ervin Palmer.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

*Correction—37th changed to 47th in line 9 of digest.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on April 18, 1939, as they appeared in Bulletin No. 17, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(331-39-A)

WHEREAS, Cheesman-Elliott Company, Incorporated, owner, filed March 16, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 639-647 Kent avenue, northeast corner of Keap street (Block No. 2191, Lot Nos. 1 and 3), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 7732-LC, dated November 30, 1938, reads:

"1. Provide an approved storage system for storing and handling all volatile inflammable oils and liquids (xylol and naptha)"; and,

WHEREAS, said order was referred to in a decision of the fire commissioner, dated March 9, 1939; and

WHEREAS, the building is four (4) stories, 70 ft. in height, 100 ft. by 75 ft. in area at the 1st floor and 90 ft. by 75 ft. in area at typical floor level, of brick mill con-

MINUTES

struction, sprinklered, erected in 1894, located in an unrestricted use district and occupied: Cellar—storage of linseed oil in steel tanks and miscellaneous oils in drums—no persons; 1st floor—shipping—2 persons; 2nd floor—paint manufacturing—8 persons; 3rd floor—same—4 persons; 4th floor—same—2 persons. Certificate of occupancy No. 4917, issued June 2, 1924, permitted the use of the building as lofts; and

WHEREAS, the following combustibles are stored on the premises: 3500 gallons linseed oil, stored in steel tanks; 3500 gallons mixing varnish, stored in steel tanks and steel drums; 2500 gallons ready mixed paint, stored in steel drums and kits; 1000 gallons mineral spirits, stored in steel tanks; 500 gallons miscellaneous oils, stored in steel tanks and drums; 500 gallons dryers, stored in steel drums and 100 gallons turpentine, stored in steel drums; and

WHEREAS, the applicant contends that permission is requested to store one 50 gallon drum of "Solvesso No. 2" and one 50 gallon drum of Xylol in the yard space away from any building or any combustible material, as shown by the plan filed with this appeal, that the drums in which the solvents would be stored are I.C.C. specification 5F drums (14 gauge U. S. standard) in which these materials are regularly shipped and handled in interstate commerce; that these two drums will not be near any street or public thoroughfare; that the space in which they will be stored is entirely enclosed by brick walls and 8 in. wire fences, as shown on plan, making them inaccessible to any unauthorized person; that they will be kept tightly closed at all times; that a box constructed of 18 gauge galvanized iron will be provided to enclose the drums and keep out the weather.

Resolved, that the order of the fire commissioner, No. 7732-LC, be and it hereby is *modified*, and that the appeal be and it hereby is granted, permitting the storage as proposed outside the building, in the rear yard space, of not over two (2) drums of inflammable oils, consisting of one (1) drum of "Solvesso No. 2" (naptha) and one (1) drum of Xylol, *on condition* that the drums shall be of the type as approved by the Interstate Commerce Commission for such use and equipped with hand pumps of a type approved by the National Board of Fire Underwriters or *Factory Association Mutual Laboratories*; that these drums shall be enclosed in a galvanized iron protected enclosure; that not more than five (5) gallons of material shall be carried into the factory building at any one time and only in approved type safety cans; that the premises shall conform in all other respects with the requirements of the Administrative Code and maintained to the satisfaction of the fire commissioner.

* Correction—Words "or Factory Association Mutual Laboratories" added in line 57 of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on July 18, 1939, as they appeared in Bulletin No. 31, Vol. 24, are hereby corrected as read as follows:

THE RESOLUTION—

(734-39-SM)

WHEREAS, Philip Cosentino, for Alessandro Cozzo, owner, filed June 3, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Coboco Superior Drain Ring for W. C. bowl; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 734-39-SM.

Approval of Coboco Superior Drain Ring for Toilet Bowls or Gasket—

Philip Cosentino, for Alessandro Cozzo, owner, filed June 3, 1939, an application with the Board of Standards and Appeals for Approval of the Coboco Superior Drain Ring for W. C. bowl under the provisions of Section C26-1250.0 (14.4.9) Adm. Building Code.

The material is processed as follows: Crushed marble together with other minerals having been first pulverized is mixed with certain liquids to a plastic consistency and then poured into metal molds, which are agitated to harden. The rings are released from the molds after 24 hours and stored for curing for from four to seven days.

The ring has an upper outside diameter of approximately eight inches and an inside diameter of five inches. The top side is one and one-quarter inches across tapering out to the bottom one and one-half inches. The corners on top are rounded to facilitate installation.

Tests were made of this ring at the New York Testing Laboratories. *Reports number X-89002 of June 8, 1939, X-88953, of June 17, 1939, X-89248 of July 7, 1939.* The material was subjected to a *bond test and a loading of 14,500 pounds was required to break the hopper ring loose from the concrete. The material was also subjected to a tensile test and broke at a load of 823 lbs.* Water absorption at the end of 48 hours was 1.00%.

The ring is designed to be used as a stopper safe under toilet bowl and when set in a cement screed veneered with tile will be held in a wedged anchorage.

On the basis of the above test and report it is recommended that the Coboco Superior Drain ring for W. C. Bowls be approved for use in New York City under the provisions of C26-1250.0 (14.4.9) Adm. Building Code, on condition that the material be installed in accordance with the requirements of the administrative code and be marked within a circle around the periphery, at the top the word "Appvd." along the bottom, "B. S. & A." in the centre, two lines, upper line reading, "N. Y. C.," lower line reading, "734-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Coboco Superior Drain Ring for W. C. bowl, *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

*Correction—Words "*load test of 1000 lbs. per sq. in.*" omitted in lines 31 and 32 of resolution and words "*bond test and a loading of 14,500 pounds was required to break the hopper ring loose from the concrete. The material was also subjected to a tensile test and broke at a load of 823 pounds*" substituted. Words "*of 4.13%*" changed to "*was 1.00%*" in line 33 of resolution. Report numbers added in line 31.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 18, 1939, as they appeared in Bulletin No. 30, Vol. 24, are hereby corrected to read as follows:

MINUTES

THE RESOLUTION—

(888-39-A)

WHEREAS, Ferdinand Savignano, for Benedict J. Gaiti, owner, filed July 3, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 9 Bay 32nd street, east side, 80 ft. south of 86th street (Block No. 6383, Lot No. 35), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, re Alt. Applic. No. 2555-39, dated June 28, 1939, reads:

"Change of occupancy of frame building from one to two families with living rooms on more than two stories is contrary to Sec. 2.1.3.5 and Sec. 8.7.2.1 of the Bldg. Code. Application disapproved."

and

WHEREAS, the building is two stories and attic 31 ft. in height, of Class 4 construction; erected in 1897; located in a business use district; OCCUPIED as a one-family dwelling throughout; proposed to be occupied: cellar—boiler room and storage; 1st floor, one family; 2nd floor and attic combined—one family; and

WHEREAS, the applicant contends that the room in the attic has been occupied since the building was erected; that the only new work in the attic consists of erection of partitions creating a new chamber and bath; that the attic rooms will be used in conjunction with the 2nd floor apartment; that there will be no cooking done in the attic; that a second means of exit will be provided by means of a fire escape and drop ladder; that inasmuch as it is difficult for the owner to meet the expenses on the building, a modification is respectfully requested.

Resolved, that the decision of the acting borough superintendent re Alt. Applic. No. 2555-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the building to be occupied by not more than two families, one occupying the first floor and one occupying the 2nd floor and attic, *on condition* that the owner shall file with the acting borough superintendent, an agreement that at no time shall the building be occupied by more than two families; that the building shall not be increased in height and area; that the plot on which the building is located shall not be decreased; that no cooking shall be carried on in the attic; that a second means of exit shall be provided which may consist of an exterior fire escape or ladder reaching to a platform or balcony at second story level, thence by means of a counterbalanced *or drop* ladder to grade; that in all other respects the building shall comply with the requirements for a frame building erected outside the fire limits.

* Correction—The words "*or drop*" inserted in line 44 of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on July 18, 1939, as they appeared in Bulletin No. 31, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(949-39-A)

WHEREAS, Edwin W. Kleinert, for Metropolitan Petroleum Corporation, owner, filed July 13, 1939, an appeal from decisions of the fire commissioner affecting premises: south-east corner of East 136th street and Locust avenue (Block No. 2595, Lot No. 1), Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner, dated June 9, 1939, reads:

"In reply to your letter of May 31st, ult., wherein you request reconsideration for the elimination of a requirement providing for the installation of two yard hydrants and necessary appurtenances thereto, at premises 136th street and Locust avenue, Bronx (Bulk oil storage terminal), be advised that this Department is without authority to grant your request."

and

WHEREAS, the decision of the fire commissioner, dated July 13, 1939, is the same as contained in the decision dated June 9, 1939; and

WHEREAS, the buildings are 1 story (12 ft.) in height, 28 ft. by 24 ft., 27 ft. by 34 ft. and 50 ft. by 17 ft. in area, occupied as offices, boiler house and pump house, in connection with a fuel oil storage plant; and

WHEREAS, the applicant contends that the plant is on a plot 440 ft. by 100 ft. in area, and is open on all sides; that the fuel oil storage tanks are underground and will be protected by a carbon dioxide fire extinguishing system approved by the fire commissioner; that only the small brick office building at the extreme corner of the yard will have a wood roof; that the loading racks are of steel and that permission is respectfully requested to omit the yard hydrant system.

Resolved, that the decision of the fire commissioner, dated June 9, 1939, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that in lieu of the required yard hydrants, a *carbon dioxide fire extinguishing system for the protection of the tanks* shall be installed and maintained; that such system shall be of the design and capacity as approved by the fire commissioner; that such additional portable fire-fighting appliances shall be installed, as the fire commissioner shall direct.

*Correction—Words "*a carbon dioxide fire extinguishing system for the protection of the tanks*" substituted for words "carbon dioxide fire extinguishers" in line 35 of resolution.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

PUBLIC HEARING

PROPOSED RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES.

(1139-39-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, October 20, 1939, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for Inspection of Approved Opening Protective Assemblies.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Code (2.2.1.1) and C26-610.0 Administrative Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Building Code, it shall be tested as required in Section 10.1.18 and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved fire doors of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such doors are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Superintendent of Buildings, or by a recog-

nized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved door or window and the manufacturer and the number of such units to be manufactured.

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals. Where a door is of fireproofed wood, such wood shall be submitted to tests for fireproof wood, as prescribed in the Code. Sect. 7.2.3.1 to 7.2.3.9 inclusive.

Rule 3—Labels.

3.1 Every approved Fire Door or Window before installation in a building under the provisions of the Building Code shall have securely attached to the door, a metal label of a design approved by the Board, giving the name of the door or window, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to an approved Fire Door, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the door or window a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each door or window manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of the same type and material as tested with approved Opening Protective Assembly.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 **APPROVED**: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 **AUTOMATIC PUMP**: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 **BURNER**: A device designed for the purpose of burning oil.
- 2.5 **COMMERCIAL INSTALLATIONS**—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 **CONTROLS**—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 **DISCHARGE LINE**: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 **DOMESTIC INSTALLATIONS**—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 **DWELLINGS**: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

- 2.10 **ELECTRICALLY GROUNDED**: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (½") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 **FILL PIPE**: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 **FIRE RETARDING MATERIALS**:
 - 2.12.1 One-half (½) inch plaster boards, or asbestos boards, or three-eighths (¾) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 **GROUND**: An electrical conductor having capacity to absorb current.
- 2.14 **INDUSTRIAL INSTALLATIONS**: Oil burner installations for industrial purposes.
- 2.15 **OIL**: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.
- 2.16 **OIL BURNING EQUIPMENT**: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 **OIL LEVEL INDICATING DEVICE**: A means by which the level of the oil in a storage tank may be indicated.

RULES

- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted,

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (Ameri-

can Society for Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A. P. I.)	40-44°
No. 1 Fuel Oil	"	"	"	36-40°
No. 2	"	"	"	32-36°
No. 3	"	"	"	28-32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, 3/8 in. heads.
- Tanks over 120 in. in diameter to be of 3/8 in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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- [d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

- [e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

- [a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.
- [b] 5.2.2 Corners may be made up by bending the plates or by use of angles.
- [c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.
- [d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.
- [e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.
- [f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.
- [g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.
- [h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

- [a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

- [b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

- [c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

- [d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

- [e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

- [a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.
- [b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{3}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

- [c] 5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

- [d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.
- Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20') feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet..... | 24,000 " |
| If distant 40 feet..... | 36,000 " |
| If distant 50 feet..... | 48,000 " |
| If distant 60 feet..... | 60,000 " |
| If distant 75 feet..... | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such control may be located immediately inside the

room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.1.4.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

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lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.

- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline	
Autopulse Electric Oil Pump Outfit, Model		and Fuel Oil	175-35-SA
No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston		Quimby Screw Pump	1193-21-SA
Pattern Pump	372-21-SA	Range-O-Matic Oil Pump, Model 50 and Suc-	
Century Rotary	908-21-SA	tion Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
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FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 39

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

EDWARD V. BARTON, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

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ward Cahill, Material.

1128-39-SM.....Foley Vented TY (Plumbing
Fitting) manufactured by Mat
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Bronx, N.B. 1335-22.

1130-39-SM.....C-S-I Certain-teed Structural
Insulation manufactured by
Certain-teed Products Cor-
poration, Material.

1131-39-A.....F.D.....Re manufacture, storage, sale and
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(inflammable mixture), known
as "Graysol Anti - Freeze
Methanol" and "Admiral," in
non-refillable cans in New
York City, Decision.

1132-39-BZ....H.B.Bx...32-34 Westchester square, west
side, 185.65 ft. south of Frisby
avenue and 2588-2590 Frisby
avenue (Block No. 3984, Lot
Nos. 16 and 30), Borough of
The Bronx, Alt. 625-39.

1133-39-SA.....Bettendorf Oil Burner, Models
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MV2, Appliance.

1134-39-A.....H.B.B.....6914-6918 Fifth avenue, west
side, 102 ft. 8 $\frac{5}{8}$ in. south of
Bay Ridge avenue (Block No.
5873, Lot Nos. 48 and 49),
Borough of Brooklyn,
Alt. 2184 and 2185-39.

1135-39-S.....H.B.M.....230 West 27th street, south side,
45 ft. 5 $\frac{1}{2}$ in. west of Seventh
avenue (Block No. 776, Lot
No. 56), Borough of Manhat-
tan, Alt. 2623-39.

1136-39-SM.....Pomeroy "Superior" Type Hol-
low Metal Heavy Type Double
Hung Window manufactured
by S. H. Pomeroy Co., Inc.,
Material.

1137-39-SM.....Pomeroy "Standard" Type Hol-
low Metal Steel Double Hung
Window manufactured by S.
H. Pomeroy Co., Inc.,
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1138-39-BZ....H.B.Q.... 177-42 South Conduit avenue
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1139-39-SR.....Re Inspection of Approved Fire
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1140-39-SM.....Barber Genasco Brick Like Sid-
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phalt Corporation, Material.

1141-39-SM.....Multiplex, Straub and Nailcrete
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plex Concrete Co., Inc.,
Material.

1142-39-BZ....H.B.M.....140-146 West 53rd street, south
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1144-39-A.....H.B.Q.... 703 Fairview avenue and 202
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N.B. 1526-39.

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Material.

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boulevard (Block No. 3234,
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Borough of Queens,
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side, 137.44 ft. east of Rod-
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ough of Queens,
Misc. Applic. 2718-39.

1150-39-A-WF...H.B.Q...134-24 Northern boulevard, south
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CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS

On September 19, 1939, Joseph & Demov, attorneys, served on the board petition and order of certiorari, on behalf of Irving Topper and Ashton Properties, Inc., lessee and owners, in re decision of board of July 18, 1939, denying use of apartment in residence district in part for business use. Cal. No. 462-1939-A, premises 2075 Grand Concourse, Borough of The Bronx.

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SEPTEMBER 26, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September 26, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 571-39-BZ—Application, May 5, 1939, under section 21 of the building zone resolution, of David Millman, applicant, on behalf of Benjamin Herschman and Edna Schaar, owners (Herbert Peetz, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 205-217 South First street, north side, 142 ft. east of Driggs avenue (Block No. 2394, Lot Nos. 30, 32, 35 and 37), Borough of Brooklyn.

CAL. NO. 703-38-BZ—Application, August 8, 1939, under section 7h of the building zone resolution, of Alice M. Johnston, applicant, on behalf of J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners (Charles Miller, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.

CAL. NO. 819-38-BZ—Application, September 24, 1938, under sections 7h and 21 of the building zone resolution, of Charles McEvoy, applicant and lessee, on behalf of Charles Jacobs, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 75-01 Broadway, northeast corner of 75th street (Block No. 1486 (499), Lot Nos. 13, 16 and 18), Jackson Heights, Borough of Queens.

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CAL. NO. 671-39-BZ—Application, May 22, 1939, under sections 7c and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Artbern Corporation, owner, (Reshen Sons, lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10). Jamaica, Borough of Queens.

CAL. NO. 903-38-BZ—Application, October 19, 1938, under section 7h of the building zone resolution, of Morris Goldberg, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3066-3076 West 23rd street, northwest corner of Riegelman Boardwalk and 3031 West 24th street (Block No. 7070, Lot Nos. 155, 170, 171, 172, 173 and part of Lot No. 145), Borough of Brooklyn.

CAL. NO. 1041-38-BZ—Application, November 18, 1938, under section 7h of the building zone resolution, of Tenzer, Greenblatt, Fallon and Kaplan, applicants, on behalf of Board of Transportation, City of New York, owner (Midtown Auto Storage Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 335 - 365 Schermerhorn street and 2-8 Third avenue, northwest corner (Block No. 167, Lot No. 36 and part of Lot No. 28), Borough of Brooklyn.

CAL. NO. 1044-38-BZ—Application, November 18, 1938, under section 7h of the building zone resolution, of Tenzer, Greenblatt, Fallon and Kaplan, applicants, on behalf of Board of Transportation, City of New York, A. J. Nutting Corporation and Manpet Realty Co., Inc., owners (Midtown Auto Storage Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 252-304 Schermerhorn street and 51-59 Bond street, southeast corner (Block No. 172, Lot Nos. 7, 10, 13 and 18), Borough of Brooklyn.

CAL. NO. 425-39-BZ—Application, April 5, 1939, under section 7a of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Joseph Serpico, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 807 Metropolitan avenue, north side, 1-5 Bushwick avenue and 18 Maspeth avenue, southeast corner (Block No. 2907, Lot No. 1), Borough of Brooklyn.

CAL. NO. 750-39-BZ—Application, June 7, 1939, under sections 7c and 21 of the building zone

resolution, of Robert J. Farrington, applicant, on behalf of Abraham Finger and Mollie Finger, owners, to permit in a business use district, the extension of and, also, the reconstruction of buildings on an existing gasoline service station; also, the parking of more than five (5) motor vehicles; premises 491-497 East 133rd street, northeast corner of Brown place (Block No. 2261, Lot Nos. 15 and 17), Borough of The Bronx.

CAL. NO. 1222-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Louis Caner, owner, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores); premises 794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 26, 1939, 2 P. M.

Appeals from Administrative Decisions

733-39-A—177-181 Concord street, northeast corner of Duffield street (Block No. 109, Lot No. 25), Borough of Brooklyn.

752-39-A—245 Russell street, northeast corner of Meserole avenue (Block No. 2628, Lot No. 6), Borough of Brooklyn.

873-39-A—110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn.

884-39-A—81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens.

909-39-A—166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens.

925-39-A—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

969-39-A—168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21 to 28, inclusive), Borough of Brooklyn.

972-39-A—8665-20th avenue, north side, 133 ft. west of Benson avenue (Block No. 6375, Lot No. 7), Borough of Brooklyn.

976-39-A—50 West 225th street, south side, 661 ft. east of Broadway (Block No. 2215, part of Lot No. 700), Borough of Manhattan.

1033-39-A—4-42 West 14th street, south side, 107 ft. west of Fifth avenue, 74-76 Fifth avenue and 1-41 West 13th street (Block No. 577, Lot Nos. 19-32, 33, 35, 37, 42-47, 49, 55, 57, 59, 61 and 65), Borough of Manhattan.

1040-39-A—309 East 49th street, north side, 125 ft. east of Second avenue (Block No. 1342, Lot Nos. 6-9), Borough of Manhattan.

CALENDAR

- 1049-39-A—Re transportation of gasoline in tank truck (not of approved type) in New York City.
- 1058-39-A—24 First avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.
- 1020-39-A—15 Stone street, north side, 94.6 ft. west of Broad street (Block No. 11, Lot No. 27), Borough of Manhattan.
- 1032-39-A—1535-1541 Third avenue, east side, 78 ft. north of East 86th street (Block No. 1532, Lot No. 4), Borough of Manhattan.
- 1034-39-A—42 East 14th street, south side, 53 ft. east of University place, 123 University place and 39-43 East 13th street (Block No. 565, Lot Nos. 1, 2, 3 and 10), Borough of Manhattan.
- 980-39-A—93-30 Van Wyck boulevard, west side, 62 ft. north of 94th avenue (Block No. 522, Lot No. 14), Jamaica, Borough of Queens.
- 1125-39-A—8 South street, northeast corner of Moore street (Block No. 4, Lot No. 44), Borough of Manhattan.
- 1019-39-A—666 Lafayette avenue, north side, 120 ft. east of Marcy avenue (Block No. 1785, Lot No. 71), Borough of Brooklyn.
- 1045-39-A—1608 78th street, south side, 50 ft. 8 in. east of 16th avenue (Block No. 6259, Lot No. 9), Borough of Brooklyn.
- 1021-39-A—2948-2954 Third avenue, east side, 149.32 ft. north of East 152nd street and 639-647 Bergen avenue (Block No. 2362, Lot Nos. 44-47 and 65-68, inclusive), Borough of The Bronx.
- 1023-39-A—42-12 to 42-24 Vernon boulevard, north side, 90.28 ft. east of 43rd avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.
- 1027-39-A-WF—134-37 to 134-39 Northern boulevard, northwest corner of Prince street (Block No. 4946, Lot No. 68), Flushing, Borough of Queens.
- 1052-39-A—Northwest corner of Beach 105th street and Parkway (Ocean Boardwalk); (Block No. 645, Lot No. 18), Rockaway Beach, Borough of Queens.
- 1053-39-A—165-18 South road (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.
- 1131-39-A—Re manufacture, storage, sale and transportation of anti-freeze (flammable mixture), known as "Graysol Anti-Freeze Methanol" and "Admiral Anti-Freeze" in non-refillable cans in New York City.

Variation of the Labor Law

- 1038-39-S—15 East 56th street, north side, 225 ft. east of Fifth avenue (Block No. 1292, Lot No. 10), Borough of Manhattan.

OCTOBER 3, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 3, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 411-39-BZ—Application, March 31, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Violet Bazerman, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

CAL. NO. 1013-38-BZ—Application, November 10, 1938, under section 7h of the building zone resolution, of John Beveridge, applicant and lessee, on behalf of Jesse Knight, Edith Howells, Daisy Howells, American Savings Bank, Ernest Hoehn and Union Dime Savings Bank, owners, to permit in a business use district, the parking and storage of more than five (5) motor vehicles; premises 1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21 to 25, inclusive), Borough of Manhattan.

CAL. NO. 844-38-BZ—Application, October 4, 1938, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Lena Maria Rasch, owner (William Aaron and Leo Goldberger, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2717-2739 Pitkin avenue, northeast corner of Euclid avenue (Block No. 4214, part of Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 3, 1939, 2 P. M.

Appeal from Administrative Decision

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 3, 1939*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 366-32-BZ—Application of Aaron A. Roth, applicant, on behalf of the Estate of Sarah Cook Montague, owner, Joseph E. Montague and George M. Thomson, executors, reopened September 12, 1939 re extension of permit — re Application, previously granted on condition under section 21 of the building zone resolution, for a temporary period, permitting in a business use district, the maintenance of a motor vehicle repair shop; premises 1385-1395 Webster avenue, west side, 772.49 ft. north of East 169th street (Block No. 2887, Lot Nos. 151 to 155, inclusive), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

OCTOBER 10, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 10, 1939, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 742-39-BZ—Application, June 5, 1939, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of F. D. Koehler Co., Inc., owner, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline service station; premises 1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

CAL. NO. 355-39-BZ—Application, March 21, 1939, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of Jeanette E. Thompson and Estate of A. G. Thompson, owners, to permit in a residence use district, the maintenance of garages for the storage of more than three (3) motor vehicles; premises South side of St. Johns avenue, 125 ft. west of Bay street (Block No. 2860, Lot Nos. 20 and 39), Rosebank, Borough of Richmond.

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 751-39-BZ—Application, June 7, 1939, under sections 7c and 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station; premises 921 Hunts Point avenue, south side, from Southern boulevard to Whitlock avenue, 948 Southern boulevard and 987 Whitlock avenue (Block No. 2735, Lot No. 30), Borough of The Bronx.

CAL. NO. 1047-39-BZ—Application, August 17, 1939, under section 21 of the building zone resolution, of Theodore F. Price, applicant, on behalf of Preder Realty Corporation, owner, to permit in a residence use district, the erection and maintenance of a garage for more than three (3) cars in a multiple dwelling for the use of the tenants thereof; premises Southeast corner of Oxford avenue and West 236th street (Block No. 3409-F, Lot No. 430 and part of Lot No. 433), Borough of The Bronx.

CAL. NO. 1092-39-BZ—Application, August 14, 1939, under section 21 of the building zone resolution, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district, the erection and maintenance of a garage for the storage of more than three (3) cars, appurtenant to a multiple dwelling for use of the tenants of such multiple dwelling; premises 84-49 168th street, east side, 150.82 ft. north of Gothic drive (Block No. 9859, Lot No. 88), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 10, 1939, 2 P. M.

Appeals from Administrative Decisions

906-39-A—419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan.

916-39-A—54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

386-39-A—41-45 Elliott place, northwest corner of Walton avenue (Block No. 2842, Lot No. 22), Borough of Brooklyn.

581-39-A—1510 Jessup avenue, east side, 884.8 ft. south of Featherbed lane (Block No. 2872, Lot Nos. 287, 293, 296, 298, 299 and 300), Borough of The Bronx.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 10, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 167-34-BZ—Application of Insular Realty Corporation, applicant and owner, reopened September 12, 1939 re extension of permit — re Application, previously granted on condition, under section 21 of the building zone resolution, for a temporary period, permitting in a business use district, the change of occupancy of an existing building to a motor vehicle repair shop; premises 1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 17, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

CALENDAR

of the building zone resolution, *Tuesday morning, October 17, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 178-39-BZ—Application, February 14, 1939, under section 7f of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Buhrman Sand and Gravel Corporation, owner (Colonial Sand and Stone Co., Inc., lessee), to permit in a residence use district, the operation of a sand and gravel pit; premises East side of Douglaston parkway, 951.27 ft. south of 61st avenue (Block No. 8291, Lot No. 1), Douglaston, Borough of Queens.

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 17, 1939, 2 P. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 17, 1939*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 79-35-BZ—Application of Stein and Wiener, applicants, on behalf of Patrick Filomino, for Filomino Building Corporation, owner, reopened September 19, 1939, for consideration as to extension of permit — re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the change of occupancy of part of an existing building to a motor vehicle repair shop for a temporary period; premises 3223 Laconia avenue, west side, 81.41 ft. north of Boston road (Block No. 4613, Lot No. 54), Borough of The Bronx.

CAL. NO. 364-36-BZ—Application of Thomas H. Simmons, applicant, on behalf of Joseph Wellner, lessee, for Edbro Realty Co., Inc., owner, reopened September 19, 1939, for consideration as to extension of permit — re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles; premises 31-64 to 31-86 31st street, west side, 100 ft. north of Broadway (Block No. 589, part of Lot No. 9), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 19, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

844-38-BZ.

APPLICANT—Lama and Proskauer for Lena Maria Rasen, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7H of the building zone resolution to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2717-2739 Pitkin avenue, northeast corner Euclid avenue (Block No. 4214, part of Lot 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, William Aaron, Lena Appelman, Robert I. Herbert.

For Opposition: Elizabeth McDade, Isidore Kosoff, M. J. Fellner.

ACTION OF BOARD—Laid over to October 3, 1939, 10 A. M., to send notice to additional property owners.

904-38-BZ.

APPLICANT—Harry Annabel, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7H and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—89-11 168th place E.S. 100 ft. south of 89th avenue (Block No. 9801, Lot Nos. 46 and 47), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Harry Annabel.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

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MINUTES

THE RESOLUTION—

(904-38-BZ)

WHEREAS, Harry Annabel, owner, filed October 19, 1939, an application under sections 7H and 21 of the building zone resolution to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 89-11 168th place, East side, 100 ft. south of 89th avenue (Block No. 9801, Lot Nos. 46 and 47), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 19, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 168th place is in a business and residence use district; 89th avenue is in a business and residence use district; 90th avenue is in a business and residence use district; and 168th street is in a business and residence use district; and

WHEREAS, the decision of the Borough Superintendent dated September 29, 1938, re NB 7835-38 reads:

"Your application for certificate of occupancy for parking and storage of more than five (5) motor vehicles on premises 168th place, E.S., 100 ft. south of 89th avenue, Borough of Queens, is hereby DENIED as same is contrary to Art. II, Sect. 4, subd. 15 of the Building Zone Resolution."

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. and a depth of 100 ft. Upon the northerly front of the plot there is located a two story frame dwelling, 22 ft. by 55 ft. in area and also (at the rear of the plot) a garage for less than five (5) motor vehicles. It is proposed to occupy the remainder of the plot for a temporary period of less than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were the subject of an inspection by a committee of the board; and

WHEREAS, the board deemed that this was a proper case for the board to exercise its discretion under section 7, subdivision h.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7, subdivision h, for a temporary period of two (2) years from the date of this resolution, to permit the unbuilt upon portion of the plot to be occupied for the transient parking of automobiles, *on condition* that only automobiles of the pleasure-car type shall be so parked; that a substantial fence shall be maintained on the interior lot lines and a substantial fence along the street building line, except for an entrance not exceeding 10 ft. in width with a curb cut opposite not exceeding 12 ft. in width; that during the term of this permit the vacant portion of the property shall not be used for other purposes; that no sign shall be erected on the premises except there may be a sign erected within the building line, near the entrance, advertising the transient parking use, provided such sign does not exceed five (5) sq. ft. in area; that no lights for illumination shall be installed; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that all permits required shall be obtained and all work involved shall be completed within three (3) months from the date of this resolution.

103-39-BZ.

APPLICANT—John F. Meehan, for F. J. Fuller, President, and Directors of the Manhattan Company, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the

building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—196-27 Linden boulevard, N.W. corner 197th street (Block No. 1960, Lot No. 115), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: Royal E. Dalrymple.

ACTION OF BOARD—Application withdrawn without argument on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

178-39-BZ.

APPLICANT—Charles M. Spindler (Colonial Sand & Stone Co., Inc.), for Buhrman Sand & Gravel Corporation.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7F of the building zone resolution, to permit in a residence use district the operation of a sand and gravel pit.

PREMISES AFFECTED—E.S. Douglaston parkway, 951.27 ft. south of 61st avenue (Block No. 8291, Lot No. 1), Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Spindler, Jacob I. Goodstein, Stanley F. Maslak.

For Opposition: Alexander Berman.

ACTION OF BOARD—Laid over to October 17, 1939, 10 A. M., for further hearing. Applicant to furnish additional information.

355-39-BZ.

APPLICANT—Carl F. Grieshaber.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the maintenance of garages for the storage of more than three (3) motor vehicles.

PREMISES AFFECTED—S.S. St. Johns avenue, 125 ft. west of Bay street (Block No. 2860, Lot Nos. 20 and 39), Rosebank, Borough of Richmond.

APPEARANCES—

For Applicant: Carl F. Grieshaber.

For Opposition: None.

ACTION OF BOARD—Laid over to October 10, 1939, 10 A. M., on request of applicant.

414-39-BZ.

APPLICANT—Boochever, McManus & Ostrow, for Joseph Rosenbaum, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1031-1041 Bedford avenue, S.E. corner Clifton place (Block No. 1793, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Emanuel M. Ostrow, Esther A. Greer.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Absent 0

MINUTES

THE RESOLUTION—

(414-39-BZ)

WHEREAS, Boochever, McManus & Ostrow, for Joseph Rosenbaum, owner, filed April 1, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises: 1031-1041 Bedford avenue, S. E. corner Clifton place (Block No. 1793, Lot No. 5), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 19, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bedford avenue is in a business use district; Clifton place is in a business, unrestricted and residence use district and Greene avenue is in an unrestricted, business and residence use; and

WHEREAS, the decision of the borough superintendent, dated March 16, 1939, reads; Application No. 530-1939—

"Proposed gasoline station, auto laundry, lubritorium and office, to be located in a business use district are contrary to Art. No. 2, Sect. No. 4 (a) of zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 120 ft. on Bedford avenue and 90 ft. on Clifton place. It is proposed to demolish the buildings (apartments and stores) now on the site and to erect thereon a one story building 65 ft. by 24 ft. 8 in. in area, to be used as office, auto laundry and lubritorium and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the acting borough superintendent, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

624-39-BZ.

APPLICANT—Lama and Proskauer, for Charlotte Smith, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Laid over to October 10, 1939, 10 A. M., on request of applicant.

Adjourned, 12:25 P. M.

EDWARD V. BARTON, *Chief Clerk*.

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 19, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

984-22-BZ.

APPLICANT—Dora Goldfein, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings) granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, for a temporary period, the maintenance of a garage for the storage of three (3) motor vehicles, three (3) spaces rented to persons not residing on the premises.

PREMISES AFFECTED—2379 Tiebout avenue, west side, 116.05 ft. north of East 184th street (Block No. 3147, Lot No. 32), Borough of The Bronx.

APPEARANCES—

For Applicant: Frank Goldfein.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(984-22-BZ)

WHEREAS, this application, affecting premises 2379 Tiebout avenue (Block No. 3147, Lot No. 32), Borough of The Bronx, was granted by the board at its meeting February 19, 1924, for a temporary period, and this period has been extended from time to time, the last action being September 24, 1935, and applicant requests a further extension.

Resolved, that the resolution adopted by the board on February 19, 1924, as amended by resolution adopted on October 19, 1937, be and it hereby is *amended*, only so far as it has reference to the temporary period of two (2) years, so that as amended the resolution will read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 21, for a temporary period of two years from October 19, 1939, *on condition* that the requirements set forth in the resolution of the board affecting the same premises, granted under Cal. No. 984-22-BZ, under date of February 19, 1924, shall be complied with in all respects."

79-35-BZ.

APPLICANT—Stein and Wiener, for Patrick Filomino, for Filomino Building Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district, the change of occupancy of part of an existing building to a motor vehicle repair shop for a temporary period.

PREMISES AFFECTED—3223 Laconia avenue, west side, 81.41 ft. north of Boston road (Block No. 4613, Lot No. 54), Borough of The Bronx.

APPEARANCES—

For Applicant: Hyman Wiener.

ACTION OF BOARD—Application reopened and set for hearing October 17, 1939, at 2 P. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

MINUTES

6-36-BZ.

APPLICANT—Interborough Engineering Company.

SUBJECT—Application for consideration—reopening and amendment re decision of the acting borough superintendent of buildings—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a motor vehicle repair shop and, also, a gasoline service station.

PREMISES AFFECTED—5001-5011 Farragut road and 1429-1435 Utica avenue, northeast corner (Block No. 4785, Lot Nos. 46 and 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ribelle Perotto.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(6-36-BZ)

WHEREAS, M. J. Cafiero, for Frank Ernst, owner, filed January 10, 1936, an application under the building zone resolution to permit in a business district the erection and maintenance of a motor vehicle repair shop and also a gasoline service station; premises: 5001-5011 Farragut road and 1429-1435 Utica avenue, northeast corner (Block No. 4785, Lot Nos. 46 and 48), Borough of Brooklyn; and

WHEREAS, this application was granted by the board March 10, 1936, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on March 10, 1936, be and it hereby is *amended*, so that as amended it shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the plot under appeal to be used as a gasoline service station and limited motor vehicle repair shop, *on condition* that the building shall be constructed of brick substantially, as indicated on plans filed with this appeal; that the area to be used for gasoline service station shall be not less than 30 ft. in depth; that the pumps erected shall not be less than 10 ft. back from building line of Utica avenue; that there shall be a wall constructed along the northerly lot line not less than 7 ft. in height, except that it may be not less than 4 ft. in height where it meets the Utica avenue building line and may be graduated at the rate of one foot in four to the 7 ft. in height; that there shall be no openings in this wall or any lot line wall of building to the north and to the east opening on adjoining property; that the boiler room shall be entirely separated from the repair shop by fireproof construction and be enterable only from exterior; that no gasoline tanks shall be constructed or located within 15 ft. of any portion of the boiler room wall; that the ceiling of the repair shop building shall be fire retarded in accordance with the Rules of the Board of Standards and Appeals; that all openings to this repair shop shall be from Farragut road, with no openings to such shop from the gasoline station area; that curb cuts along Utica avenue shall be restricted to two, not exceeding 25 ft. in width each, with no part of any curb cut nearer than 5 ft. of the northerly interior lot line or the intersection of Utica avenue and Farragut road; that all signs shall be limited to permanent signs placed against the face of the building and to the globes of

the pumps, excluding all roof signs and temporary signs, but permitting the erection of one post standard within the building line near the intersection of Utica avenue and Farragut road to carry an illuminated sign advertising only the brand of the gasoline for sale; that the gasoline selling area shall be cement paved; that the motor vehicle repairing shall be limited exclusively to automobile spring work; and that all permits shall be obtained and all work completed within one year from the date of this action.

Resolved further, that in the event the owner desires to install a gasoline storage tank in addition to the two (2) tanks, indicated on plans filed with this appeal, such additional tank may be installed in the location as indicated on plan marked "received August 31, 1939," provided same complies with all requirements therefor.

364-36-BZ.

APPLICANT—Thomas H. Simmons, for lessee, on behalf of Edbro Realty Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—31-64 to 31-86 31st street, west side, 100 ft. north of Broadway (Block No. 589, part of Lot No. 9), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Thomas Simmons.

ACTION OF BOARD—Application reopened and set for hearing October 17, 1939, 2 P. M.

THE VOTE TO REOPEN AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

468-27-BZ.

APPLICANT—Interborough Engineering Company, for Michael Slavin, owner.

SUBJECT—Application for consideration—reopening and amendment re decision of the acting borough superintendent of buildings—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—6414-6424 Fort Hamilton parkway, northwest corner of 65th street (Block No. 5743, Lot Nos. 26 and 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ribelle Perotto.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(468-27-BZ)

WHEREAS, this application affecting premises 6414-6424 Fort Hamilton parkway, northwest corner of 65th street (Block No. 5743, Lot Nos. 26 and 28), Borough of Brooklyn, was granted by the board on certain conditions, and owner, through his attorneys, requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 15, 1930, as

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amended by resolution adopted July 28, 1931, and resolution adopted March 19, 1935, in the following respects:

"that in addition to advertising signs heretofore permitted there may also be erected two post standards signs within the building line, one on Fort Hamilton parkway and one on 65th street, which signs may be illuminated and advertising only the brand of gasoline for sale; that a permanent flat sign attached to the front of the accessory building may also be permitted; that the requirements heretofore stated as to the erection of curbs on the building line may be postponed pending the widening of the roadway of Fort Hamilton parkway, but in no event beyond a period of two years from the date of this amended resolution; *on condition* that the curb cuts on both street fronts shall not exceed those there at present and shall not exceed 25 feet wide each; that there shall be no motor vehicle repair work done on the premises and no portable gasoline pumps used on or from the premises; that other than as amended herein, the resolution adopted by the board on April 15, 1930, as amended by resolution of July 28, 1931, shall be complied with in all respects."

Resolved further, that in the event the owner desires to install an additional gasoline storage tank in the location as indicated on plan marked "received August 31, 1939," such additional storage tank may be installed, provided it meets all requirements therefor and on the further condition that the existing tank shall be subject to test by the fire commissioner.

39-37-BZ.

APPLICANT—James J. Millman, for Bessie Schwartz, owner.

SUBJECT—Application for consideration—reopening and extension of time—re decision of the acting borough superintendent of buildings—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting in a business use district, the extension of an existing gasoline service station and the inclusion of a brake testing station.

PREMISES AFFECTED—2-8 Matthews place, 1-5 Slocum place and 619-641 Coney Island avenue, east side, between Matthews place and Slocum place (Block No. 5141, Lot Nos. 53 and 74), Borough of Brooklyn.

APPEARANCES—

For Applicant: James J. Millman.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(39-37-BZ)

WHEREAS, Cafiero & Lacerenza, for Margaret J. Quinn, Marguerite E. Quinn and Bessie Schwartz, owners, filed January 30, 1937, an application under the building zone resolution to permit in a business district the extension of an existing gasoline service station and, also, the inclusion of a brake testing service; premises: 2-8 Matthews place, 1-5 Slocum place and 619-641 Coney Island avenue, east side, between Matthews place and Slocum place (Block No. 5141, Lot Nos. 53 and 74), Borough of Brooklyn; and

WHEREAS, the application was granted by the board June 15, 1937, on certain conditions, resolution amended November 3, 1937, and November 15, 1938, and owners through the present architects, Lama and Proskauer, requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the board on June

15, 1937, as amended November 3, 1937 and November 15, 1938, so that as amended the resolution shall read:

"Granted under section 7c to permit the existing three-car garage building at rear of Lot No. 74 to be used for brake-testing, and no other automobile repairing, permitting the removal of the existing concrete and wire-cable fence between Lot Nos. 74 and 53, provided there is erected on balance of Lot No. 74 for the full width from Coney Island avenue to the rear and from the three-car garage to Slocum place, a building to be used only for automobile salesroom and accessory store, not exceeding one story in height and constructed of fireproof materials, except that the roof beams and roof boarding, window frames and sash and door frames and doors may be of wood, provided the ceiling is plastered and there are no openings in the rear wall to the adjoining premises; that the front shall be of face brick with stone or terra cotta trimmings or of brick stucco to harmonize with the accessory buildings of gasoline station; except that the front of building facing Coney Island avenue may be semi-circular and meeting the building line on Coney Island avenue; that all working plans shall be submitted to the chairman for approval by him in behalf of the board before same are filed with the commissioner of buildings; that all permits shall be obtained and work completed within one year from the date of this amended resolution."

461-37-BZ.

APPLICANT—Hudson Parking Corporation, for New York Life Insurance Company, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings) previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 22, 23, 24 and 25 and part of Lot Nos. 20, 54, 55 and 56), Borough of Manhattan.

APPEARANCES—

For Applicant: J. J. Stone and Mendes Hershman.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(461-37-BZ)

WHEREAS, Manhattan Parking Corporation (lessee), for New York Life Insurance Company, owner, filed September 27, 1937, an application under the building zone resolution, to permit partly in a business use district and partly in a residence use district, for temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 20, 22, 23, 24, 25, 54, 55 and 56), Borough of Manhattan; and

WHEREAS, this application was granted by the board July 12, 1938, resolution amended October 25, 1938, on certain conditions and owner requested a further amendment of the resolution.

Resolved, that the resolution adopted by the board on July 12, 1938, as amended by resolution adopted July 25, 1938, be and it hereby is further amended, only so far as it

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has reference to obtaining permits and completing work, so that as amended, the resolution will read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h for a period of two (2) years from the date of this action, to permit that portion of the plot within the business use district to be used for transient parking of more than five motor vehicles of the pleasure-car type, *on condition* that the entire plot shall be graded to the level of the sidewalk at the building line; that there shall be erected on the street building lines, except for one 20 ft. wide entrance to East 39th street, and one of a similar width to East 38th street, a concrete curbing 8 inches in height and 1 ft. in width, on the centre of which shall be erected a substantial steel picket fence not less than 4 ft. 6 in. in height above such curb, with substantial posts and bumpers at the entrances; that this curbing and fence shall be continued along the portion of the plot within the residential use area for a distance of 15 ft. along East 39th street and 22 ft. along East 38th street, with returns to the side lot line building wall; that parallel to the fence, along Madison avenue, a concrete platform bumper with steel nosing shall be constructed for a height of 8 in. and a width of 3 ft. 6 in.; that a concrete bumper shall be constructed for a height of 8 in. above grade and a width of 1 ft. 6 in. parallel to the fence to be erected along East 38th street and East 39th street, within the business use area; that a similar bumper shall be constructed from north to south on the line of the business use area, but which may extend for its full width into the residence use area; that the remaining portion of the plot in the business use area shall be surfaced with cracked bluestone or clean gravel, properly rolled and treated with a binder other than oil, to preclude dusting and so graded as to provide surface drainage; that no portion of the residence use area shall be used for parking; that the space between the bumper platform and the easterly lot lines shall be graded to the height of the platform and maintained with grass and shrubs; that all fences shall be kept painted; that the 20 ft. entrances from East 38th street and East 39th street shall be not nearer than 50 ft. to the building line of Madison avenue; that the curb cuts opposite entrances shall not exceed 20 ft. in width; that all signs and buildings shall be removed from the plot; that signs shall be restricted to one at each entrance attached to an ornamental steel standard; that these signs shall not be illuminated and may be double-sided, reading "Parking" and may not extend beyond the building line; that no building shall be erected, except a one-story office and shelter for the attendants and patrons; that this building shall not exceed 250 sq. ft. in area and shall be provided with toilet accommodations for attendants unless such accommodations are available at 22 East 38th street, under agreement as filed dated October 20, 1938; that this building shall be constructed of fire-retarded materials and shall be of an attractive design, which, together with the fence, shall be subject to approval by the chairman in behalf of the board; that a driveway not less than 15 ft. in width shall be maintained at all times on a line with the entrances; that at least once a day, the plot shall be cleaned of all refuse and receptacles for papers and other refuse, shall be provided; that all cars parked shall be capable of operation; that there shall be no use permitted on the plot other than transient parking herein permitted; that the attendants shall wear distinctive uniforms; that there shall be no lights for general illumination, except for two bracket lights attached to the front of the office building not exceeding 200 watts each; that such portable fire-fighting

appliances shall be maintained as the fire commissioner shall direct; that no certificate of occupancy shall be issued until all work herein required is complied with and that all work herein required shall be completed within *two* (2) months from the date of this *amended* resolution.

537-37-BZ.

APPLICANT—Isidore Beerman, for Schulte Realty Company, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—72-01 to 72-17 Roosevelt avenue, north side, 100 ft. west of 73rd street and 72-16 to 72-30 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97, 99 and part of Lot No. 84), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Isidore Beerman.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(537-37-BZ)

WHEREAS, Isidore Beerman, for Schulte Realty Company, owner, filed November 15, 1937, an application with the Board of Standards and Appeals under section 7-H of the building zone resolution to permit in a business use district for a temporary period of two (2) years the parking and storage of more than five (5) motor vehicles: premises: 72-01 to 72-17 Roosevelt avenue, north side, 100 ft. west of 73rd street and 7216-7230 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97, 99 and part of Lot No. 84), Jackson Heights, Borough of Queens.

Resolved, that the resolution adopted by the board on October 18, 1938, be and it hereby is *amended*, only so far as it relates to obtaining permits and completing work, so that as amended the resolution will read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-H thereof, to permit the premises under appeal to be used for the parking and storage of more than five (5) motor vehicles for a period of two (2) years from the date of this action, *on condition* that only motor vehicles of the pleasure-car type shall be so stored or parked; that the premises shall be graded substantially to the grade of Roosevelt avenue; that there shall be erected on the interior lot lines and street building lines continuously, a substantial woven wire fence not less than six (6) ft. in height; that there shall be not over two openings to the plot on Roosevelt avenue, each not exceeding twenty (20) ft. in width and one entrance on Broadway of similar width; that during the term of this variance, the plot shall be used for no other purpose and all other existing buildings and existing uses shall be removed therefrom, excepting there may be erected a building not over one story in height, which may be of frame construction and not over 150 sq. ft. in area, used as an office and shelter for the attendant; that the premises shall be surfaced with steam cinders or clean gravel or other suitable material properly rolled and treated with a binder to prevent dusting; that such lights as may be erected for

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general illumination shall be on post standards with metallic reflectors so arranged as to reflect toward the center of the premises; that no advertising signs shall be erected, except that there may be a sign not over 15 sq. ft. in area, attached to the fence at each entrance, advertising only the parking and storage use and the rates charged; that at all times there shall be maintained adequate passageways for easy entrance and exit; that such portable fire-fighting appliances shall be installed as the fire commissioner may direct; that all permits required shall be obtained and all work involved completed within *two* (2) months from the date of this *amended resolution*.

146-36-BZ.

APPLICANT—Interborough Engineering Company.

SUBJECT—Application for consideration—reopening and amendment re decision of the acting borough superintendent of buildings—re Application, previously granted on condition, under sections 7c and 21 of the building zone resolution, permitting in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—5366-5368 Kings highway, west side, 234 ft. 1½ in. north of Farragut road (Block No. 7948, Lot Nos. 11 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ribelle Perotto.

ACTION OF BOARD—Request to reopen, withdrawn.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

367-38-BZ.

APPLICANT—Koch and Wagner, for John F. Trommer, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the acting borough superintendent of buildings) under section 7a of the building zone resolution, permitting in a business use district, the alteration and conversion of occupancy of a restaurant, dance hall and keg storage room (used in conjunction with a brewery) to an office, wash house and filling room, building to be used in conjunction with the existing brewery.

PREMISES AFFECTED—88-98 Conway street, east side, 98 ft. 8 in. south of Bushwick avenue (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur R. Koch and James Whitford.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(367-38-BZ)

WHEREAS, Edwin W. Kleinert, for John F. Trommer, Inc., owner, filed May 11, 1938, an application under the building zone resolution to permit in a business use district, the alteration and conversion of occupancy of a restaurant, dance hall and keg storage room (used in conjunction with a brewery) to an office, wash house and filling room, build-

ing to be used in conjunction with the existing brewery; premises: 88-98 Conway street, east side, 98 ft. 8 in. south of Bushwick avenue (Block No. 3476, part of Lot No. 16), Borough of Brooklyn; and

WHEREAS, the application was granted by the board July 20, 1938, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on July 20, 1938, be and it hereby is *amended*, by adding thereto:

that in the event the owners desire to change the use of this building so that the entire basement will be used as a racking room and the entire 1st floor for wash house, as indicated on plans marked "received September 15, 1939," such use may be permitted, and that the filter room, in conjunction with the racking room in the cellar may be extended, as thereon shown.

404-38-BZ.

APPLICANT—Conroy and Hardy, for Board of Transportation, City of New York, owner (Downtown Brooklyn Parking, Inc., lessee).

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—214-228 Schermerhorn street, south side, 233 ft. east of Hoyt street (Block No. 171, part of Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(404-38-BZ)

WHEREAS, Conroy and Hardy, for the Board of Transportation, City of New York, owner (Downtown Brooklyn Parking, Inc., lessee), filed on May 24, 1938, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 214-228 Schermerhorn street, south side, 233 ft. east of Hoyt street (Block No. 171, part of Lot No. 7), Borough of Brooklyn.

Resolved, that the resolution adopted by the board on June 20, 1939, be and it hereby is *amended*, so that as amended it shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h thereof for a term of two (2) years from the date of this resolution, to permit the premises under appeal to be used for the transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so parked; that the plot shall be levelled substantially to the grade of the surrounding streets and surfaced with steam cinders, or other suitable material, properly rolled and bound to prevent dusting; that there shall be constructed on all lot lines a substantial fence, except for the openings now existing and as shown on plans, which shall not be increased in width or number; that no buildings shall be erected on the premises during

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the term of this variance, other than those existing used in connection with the subway construction and as an office and shelter for the attendant; that signs shall not exceed those now existing; that proper aisles shall be maintained at all times for easy entrance and exit; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that during the term of this variance, the premises shall be used for no other use than as herein permitted; that there shall be an attendant at all times during the hours the parking lot is open; that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution.

Resolved further, that in the event the owner desires to install a new fence on the property lines, such fence shall not be less than 6 ft. in height and be of the anchor post type.

405-38-BZ.

APPLICANT—Conroy and Hardy, for Board of Transportation, City of New York, owner (Downtown Brooklyn Parking, Inc., lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—240-250 Schermerhorn street and 54-60 Bond street, southwest corner (Block No. 171, part of Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(405-38-BZ)

WHEREAS, Conroy and Hardy, for Board of Transportation, City of New York, owner (Downtown Brooklyn Parking, Inc., lessee), filed May 24, 1938, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 240-250 Schermerhorn street and 54-60 Bond street, southwest corner (Block No. 171, part of Lot No. 7), Borough of Brooklyn.

Resolved, that the resolution adopted by the board on June 20, 1939, be and it hereby is *amended*, so that as amended it shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h thereof for a term of two (2) years from the date of this resolution, to permit the premises under appeal to be used for the transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so parked; that the plot shall be levelled substantially to the grade of the surrounding streets and surfaced with steam cinders, or other suitable material, properly rolled and bound to prevent dusting; that there shall be constructed on all lot lines a substantial fence, except for the openings now existing and as shown on plans, which shall not be increased in width or number; that no buildings shall be erected on the premises during

the term of this variance, other than those existing used in connection with the subway construction and as an office and shelter for the attendant; that signs shall not exceed those now existing; that proper aisles shall be maintained at all times for easy entrance and exit; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that during the term of this variance, the premises shall be used for no other use than as herein permitted; that there shall be an attendant at all times during the hours the parking lot is open; that all permits required shall be obtained and all work completed within two (2) months from the date of this *amended* resolution.

Resolved further, that in the event the owner desires to install a new fence on the property lines, such fence shall not be less than 6 ft. in height and be of the anchor post type.

406-38-BZ.

APPLICANT—Conroy and Hardy, for Board of Transportation, City of New York, owner (Downtown Brooklyn Parking, Inc., lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—134-192 Schermerhorn street, south side, from Smith street to Hoyt street and 57-73 Smith street, east side, from Schermerhorn street to State street and 257-271 State street (Block No. 170, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(406-38-BZ)

WHEREAS, Conroy and Hardy, for Board of Transportation, City of New York, owner (Downtown Brooklyn Parking, Inc., lessee), filed May 24, 1938, an application under the building zone resolution to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 134-192 Schermerhorn street, south side, from Smith street to Hoyt street and 57-73 Smith street, east side, from Schermerhorn street to State street and 257-271 State street (Block No. 170, Lot No. 1), Borough of Brooklyn.

Resolved, that the resolution adopted by the board on June 20, 1939, be and it hereby is *amended*, so that as amended it shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years from the date of this resolution, to permit the premises under appeal to be used for the transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so parked; that the plot shall be levelled substantially to the grade of the surrounding streets and surfaced with steam cinders, or other suitable material, properly rolled and bound to prevent dusting; that there shall

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be constructed on all lot lines a substantial fence, except for the openings now existing and as shown on plans, which shall not be increased in width or number; that no buildings shall be erected on the premises during the term of this variance, other than those existing used in connection with the subway construction and as an office and shelter for the attendant; that signs shall not exceed those now existing; that proper aisles shall be maintained at all times for easy entrance and exit; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that during the term of this variance, the premises shall be used for no other use than as herein permitted; that there shall be an attendant at all times during the hours the parking lot is open; that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution.

Resolved further, that in the event the owner desires to install a new fence on the property lines, such fence shall not be less than 6 ft. in height and be of the anchor post type.

407-38-BZ.

APPLICANT—Conroy and Hardy, for Board of Transportation, City of New York, owner (Downtown Brooklyn Parking, Inc., lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—37-55 Smith street, east side, from Livingston street to Schermerhorn street, 156-164 Livingston street and 137-145 Schermerhorn street (Block No. 164, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(407-38-BZ)

WHEREAS, Conroy and Hardy, for the Board of Transportation, City of New York, owner (Downtown Brooklyn Parking, Inc., lessee), filed on May 24, 1938, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 37-55 Smith street, east side, from Livingston street to Schermerhorn street, 156-164 Livingston street and 137-145 Schermerhorn street (Block No. 164, Lot No. 1), Borough of Brooklyn.

Resolved, that the resolution adopted by the board on June 20, 1939, be and it hereby is *amended*, so that as amended it shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h thereof for a term of two (2) years from the date of this resolution, to permit the premises under appeal to be used for the transient parking of more than five (5) motor vehicles, *on condition* that

only motor vehicles of the pleasure-car type shall be so parked; that the plot shall be levelled substantially to the grade of the surrounding streets and surfaced with steam cinders, or other suitable material, properly rolled and bound to prevent dusting; that there shall be constructed on all lot lines a substantial fence, except for the openings now existing and as shown on plans, which shall not be increased in width or number; that no buildings shall be erected on the premises during the term of this variance, other than those existing used in connection with the subway construction and as an office and shelter for the attendant; that signs shall not exceed those now existing; that proper aisles shall be maintained at all times for easy entrance and exit; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that during the term of this variance, the premises shall be used for no other use than as herein permitted; that there shall be an attendant at all times during the hours the parking lot is open; that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution.

Resolved further, that in the event the owner desires to install a new fence on the property lines, such fence shall not be less than 6 ft. in height and be of the anchor post type.

866-38-BZ.

APPLICANT—Goldenthal Brothers, for The Lafayette National Bank of Brooklyn, as Trustee (Herman Ellerbrock, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—21-23 to 21-33 31st street, east side, 225 ft. south of 21st avenue (Block No. 831, Lot Nos. 20 to 24, inclusive), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Max M. Bernstein.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(866-38-BZ)

WHEREAS, Goldenthal Brothers, for the Lafayette National Bank of Brooklyn, as trustee (Herman Ellerbrock, lessee), filed October 7, 1938, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 21-23 to 21-33 31st street, east side, 225 ft. south of 21st avenue (Block No. 831, Lot Nos. 20 to 24, inclusive), Astoria, Borough of Queens; and

WHEREAS, this application was granted by the board April 18, 1939, on certain conditions and applicant requested an extension of time to obtain permit and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of April 18, 1939, so that as amended, it shall read:

"That all permits required shall be obtained and all work involved completed within *three* (3) months from the date of this amended resolution."

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388-39-BZ.

APPLICANT—Gilbert I. Prowler, for Harry A. Wheeler, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the acting borough superintendent of buildings) under sections 7b, 7h and 21 of the building zone resolution, permitting partly in a residence use district, partly in a business use district and partly in an unrestricted use district, the maintenance of a garage for five (5) motor vehicles and, also, the parking and storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—1197-1205 DeKalb avenue, north side, 76 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot No. 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry M. Sushan.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(388-39-BZ)

WHEREAS, Gilbert I. Prowler, for Harry A. Wheeler, owner, filed March 28, 1939, an application under sections 7b, 7h and 21 of the building zone resolution, to permit partly in a residence use district, partly in a business use district and partly in an unrestricted use district, the maintenance of a garage for five (5) motor vehicles and also, the parking and storage of more than five (5) motor vehicles; premises: 1197-1205 DeKalb avenue, north side, 76 ft. 8½ in. east of Bushwick avenue (Block No. 3231, Lot No. 39), Borough of Brooklyn.

Resolved, that the resolution adopted by the board on June 27, 1939, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completing work, so that as amended the resolution will read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under sections 7c and 7h for a temporary period of two (2) years from the date of this resolution, to permit the premises under appeal to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that only automobiles of the pleasure-car type shall be so stored and parked; that the existing old buildings on the premises shall be entirely removed; that there shall be erected on the interior lot lines, except where walls of existing buildings do not occur, a substantial fence not less than 6 ft. in height; that a substantial woven wire fence shall be erected along the street line of DeKalb avenue, continuously, except for one entrance not over 20 ft. in width with curb cut opposite of similar width; that the premises shall be leveled substantially to the grade of DeKalb avenue and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting; that no building shall be erected on the premises during the term of this variance, except there may be erected a building not over 150 sq. ft. in area nor over one story in height, which may be of frame, to be used as office and shelter for the attendant; that any lights for illumination shall be erected on pipe standards with metallic reflectors so arranged as to reflect away from the adjoining residential occupancy; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be installed as the fire commis-

sioner shall direct; that no signs shall be erected on the premises, except there may be a sign attached to the fence at the entrance, advertising the parking and storage use, provided such sign does not extend beyond the building line and does not exceed 15 ft. in area; that during the term of this variance, the premises shall be used for no other use other than as permitted; that all permits shall be obtained and all work completed within *two* (2) months from the date of this *amended* resolution.

APPEALS FROM ADMINISTRATIVE ORDERS

488-37-A.

APPLICANT—Carbide and Carbon Chemicals Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of anti-freeze (inflammable mixtures) in non-refillable cans in New York City.

APPEARANCES—

For Applicant: W. C. Roszel and H. C. Stelling.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(488-37-A)

WHEREAS, E. I. DuPont DeNemours & Co., Inc., United States Industrial Alcohol Co. and Carbide and Carbon Chemicals Corporation, applicants, filed October 14, 1937, an appeal from a decision of the fire commissioner, relative to the manufacture, storage, sale and transportation of Anti-Freezes (inflammable mixtures), in non-refillable cans within the City of New York; and

WHEREAS, the decision of the fire commissioner, dated October 8, 1937, reads as follows:

"Please be advised that this department cannot issue Certificates of Approval for the transportation or sale, and permits for the manufacture, transportation, storage or sale of the anti-freezes you refer to (inflammable mixtures) for the reason that

"Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight fitting replaceable top, cap or other device, so made that the can shall be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each."

"NOTE: The cans for the inflammable mixtures submitted by you to this department have been disapproved."

and

WHEREAS, the applicants contend that an application was made for a certificate of approval to keep anti-freeze for sale, use and storage in sealed cans without tight fitting replaceable top, said containers not to exceed one gallon capacity; and

WHEREAS, said application was the subject of an opinion of the corporation counsel, addressed to the fire commissioner, and, also, of a decision by the Board of Hazardous Trades; that the sealed non-refillable one gallon and one quart cans now being used are safe containers; and

WHEREAS, the three corporations joining in this appeal, propose to market the anti-freeze mixtures consisting primarily of denatured alcohol *and/or* methanol with coloring matter and anti-rust compound added, through various agencies and under various trade names; and

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WHEREAS, this application was granted by the board October 19, 1937, on certain conditions, resolution amended November 3, 1937, November 23, 1937, and October 4, 1938 and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted October 19, 1937, as amended November 3, 1937, October 4, 1938, and December 20, 1938, so that as amended it shall read:

"*Resolved*, that the decision of the fire commissioner dated October 8, 1937, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the transportation, sale, storage and manufacture of anti-freeze (inflammable mixture) as described in this appeal in one gallon cans and in one quart cans without a tight-fitting replaceable top, *on condition* that there shall appear on each can, a prominent notice reading 'UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE'; that each notice shall have white letters on a fire department red background or fire department red letters on a white or aluminum background; that for the balance of the year 1937 such cans as are manufactured without this notice shall bear a similar notice pasted upon each, reading as herein required; that after January 1st, 1938, such notice shall be part of the lithographed label on the side or top surface of the can; and that the label shall also contain the additional words:

'THIS CONTAINER FOR ANTI-FREEZE APPROVED BY THE BOARD OF STANDARDS AND APPEALS UNDER CAL. NO. 488-37-A';

that the application to the fire commissioner shall state the name of the manufacturer of such anti-freeze."

Resolved, further, that these products may be marketed in cans bearing the names and addresses of the following manufacturers or agents with their respective brand or trade names as follows:

- By E. I. DU PONT DENEMOURS & Co., INC.
DuPont Zerone Anti-Rust Anti-Freeze
DuPont Five Star Anti-Freeze
- By GENERAL MOTORS PARTS CORPORATION
Genuine General Motors Anti-Freeze
- By U. S. INDUSTRIAL CHEMICALS INC.
Subsidiary of the U. S. Industrial Alcohol Co., Inc.
Super Pyro Anti-Freeze
- By CARBIDE AND CARBON CHEMICALS CORP.
Winter-Flo Anti-Freeze
Blue-Flo Anti-Freeze
- By SINCLAIR REFINING CO., INC.
Sinclair Super Anti-Freeze
- By SEARS, ROEBUCK & CO.
Durozone Anti-Freeze
- By PURE OIL CO.
Purol Anti-Freeze
- By THE GOODYEAR TIRE & RUBBER CO.
All Weather Anti-Freeze
- By FIRESTONE TIRE & RUBBER CO.
Firestone Super Anti-Freeze
- By AMERICAN OIL COMPANY
Amoco Super Anti-Freeze
- By TIDE WATER ASSOCIATED OIL COMPANY
Veedol High-Test Anti-Freeze
- By The C. P. Chemical Solvents, Inc.
"CHEX ANTI-FREEZE"
- By Tri-State Products Company
"SUPER 200 ANTI-FREEZE"
- By Moto-Gard Products Company
"MOTO-GARD ANTI-FREEZE"

55-39-A.

APPLICANT—John A. Alexander, lessee, for Broadway Savings Bank, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar re Appeal from a decision of the borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—402-414 East 105th street, south side, 100 ft. east of First avenue (Block No. 1698, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin and John A. Alexander.

For Opposition: Sol Herzog.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application reopened, restored to calendar and denied.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(55-39-A)

WHEREAS, John Arthur Rofrano, for Broadway Savings Bank, owner, filed January 16, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 404-414 East 105th street, south side, 100 ft. east of 1st avenue and 403-415 East 104th street (Block No. 1698, Lot No. 5), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated January 3, 1939, on Alt. Applic. No. 3217-38, reads:

"4. Building contrary to sec. 4.2.1, viz:—Metal building exceeds 5,000 sq. ft. for garage and repair shop. Reconsideration denied.

5. Fire-retard exits from streets to roof. 1 in. cement plaster both sides. Fireproof self-closing doors at openings. Comply with sec. 6.1.2.2.5 Bldg. Code, for exit requirements. Comply with Code of Ordinances if used for garage purposes. Specify if building has a cellar. If so, file plan for same. Exit from entrance to street not acceptable through driveway. Reconsideration denied."

and

WHEREAS, the premises consist of a plot 163 ft. on East 104th street and 163 ft. on East 105th street, upon which there has been erected a two story brick building 48 ft. by 38 ft. in area and a one story extension 48 ft. by 163 ft. 10 in. in area, of corrugated iron, on the westerly portion of the plot, occupied on the 1st story as a garage, driveway, office and store room, on the 2nd story as dwelling for two families; on the easterly portion of the plot there is a one story open shed 42 ft. front, 201 ft. 10 in. in depth and 115 ft. on the East 104th street front, occupied as a motor vehicle repair shop; the balance of the plot is occupied as an open air parking space; and

WHEREAS, it is proposed to remove the existing windows on the south wall of the two story brick building and replace with new fireproof frame and sash with wire glass, and the metal covered door at the driveway separating the garage from the two story brick building is to be made self-closing. The ceiling of the driveway is plastered with 26 gauge metal over; and

WHEREAS, the applicant contends that this structure was originally erected as a stoneyard, stable and truck storage with offices operated by the Henlein Stone Works, and in

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1911 converted to a five (5) car garage, stone yard, and office with the upper floor occupied by two (2) families; that in the open area adjoining the two story brick building there was a 500 gallon tank buried which has long since been abandoned, removed and the space filled in; that in the year 1912 the structure was converted to a garage for more than five (5) cars, office and store room on the first floor and the 2nd floor occupied by the lessee and caretaker; that the open area as parking space, and the open shed as a repair shop have been continuously occupied as herein stated up to the present time; that should the board deny this appeal, the tenant lessee will be compelled to vacate the premises, thereby forcibly retiring him from business; and

WHEREAS, this appeal was withdrawn April 25, 1939, and reopened September 19, 1939, at request of John J. Gil-martin, representative of the owner.

Resolved, that the decision of the borough superintendent of buildings be and it hereby is *affirmed* and the appeal be and it hereby is *denied*.

442-39-A.

APPLICANT—Conran Standpipe Company, for Adeli Browning, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—104 North Moore street, south side, 56 ft. 8 in. east of West 8th street (Block No. 185, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: William F. Conran.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(442-39-A)

WHEREAS, Sidney L. Strauss, for 100 North Moore Corporation, owner, filed April 8, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 104 North Moore street, south side, 56 ft. 8 in. east of West 8th street (Block No. 185, Lot No. 13), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 2576-LF, dated October 21, 1938, reads:

"1. Install an approved system of automatic sprinklers throughout building having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated March 9, 1939; and

WHEREAS, the building is 5 stories (60 ft.) in height, 22 ft. by 87 ft. 7 in. in area of Class 3 construction, erected prior to 1885, located in an unrestricted use district and occupied: Cellar—Storage of fibre baskets, no persons; 1st floor—office, storage of wood and fibre baskets, paper cartons, and shipping room, 3 persons; 2nd floor—storage of wood baskets and bamboo shades, no persons; 3rd floor—storage of woven baskets; 4th floor—storage of woven baskets; 5th floor—storage of bamboo shades, coco mats, galvanized iron tubs and woven baskets. No occupants; and

WHEREAS, the applicant contends that the 2nd floor ceiling is covered with stamped metal, all other ceilings are exposed wood beams; that there is a 60° double rung iron stairway leading to scuttle in roof; that the building is not heated and is occupied by one tenant throughout; that all openings in the rear wall are equipped with fire shutters; that stair hall and elevator shafts are provided with trap

doors held in open position at each floor; that it is proposed to equip these trap doors with fusible links and counter-weights, so as to make them automatic self-closing; and

WHEREAS, this appeal was granted by the board April 25, 1939, on certain conditions and present owner Adeli Browning, through her agent William F. Conran, requested an amendment of resolution.

Resolved, that the resolution adopted by the board on April 25, 1939, be and it hereby is *amended*, so that as amended, the resolution will read:

Resolved, that the order of the fire commissioner, No. 2576-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the building a non-automatic dry sprinkler system and that such system shall comply with the requirements of article 16 of the Administrative Code therefor, except that no sprinkler alarm need be required therefor; that the heads in the basement may be pendant and the horizontal lines may be within 6 in. of the ceiling and properly pitched; that all fittings may be of malleable iron; that in addition there shall be a fire alarm installed throughout the building, meeting the requirements of the rules of the board therefor and with central station connection.

906-39-A.

APPLICANT—August Evers, for Rehm and Evers, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: Christian D. Rehm, Jr.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 10, 1939, 2 P. M., for inspection by committee of board.

916-39-A.

APPLICANT—Josephine Calvaruso, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Max Ingber.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 10, 1939, 2 P. M., for inspection by committee of board and additional evidence from applicant.

944-39-A.

APPLICANT—Lawrence M. Rothman for Tolsen Realty Company, owner (Bronx Asphalt Company, lessee).

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—East Bank of Harlem River, 128 ft. south of West 171st street (Block No. 2541, Lot Nos. 126-132), Borough of The Bronx.

APPEARANCES—

For Applicant: Lawrence M. Rothman, P. J. Reville and A. J. Schwarzler.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

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THE RESOLUTION—

(944-39-A)

WHEREAS, Lawrence M. Rothman (Bronx Asphalt Co., Lessee), for Tolsen Realty Company, owner, filed July 12, 1939, an appeal from a decision of the fire commissioner affecting premises East Bank of Harlem River, 128 ft. south of West 171st street (Block No. 2541, Lot Nos. 126-132), Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner dated June 13, 1939, reads:

"In reply to your letter of May 23rd, ult., and after an inspection by a Deputy Chief of Department, and further examination of plan papers submitted by you, you are hereby advised that your application is not acceptable for the following reasons:

1. Yard and plant shall be provided with an acceptable yard hydrant system.
2. Adequate protection shall be provided for all tanks for the storage and use of petroleum products.
3. Piping arrangements, including methods of filling tank, discharging from tank and control of fuel oil shall be shown in detail.
4. Details of construction of all tanks shall be filed.
5. Fire protection for tanks wherein petroleum products are stored shall be provided."

and

WHEREAS, it is proposed to install one 4,000 gallon and one 7,500 gallon fuel storage tank, four 5,000 gallon asphalt storage tanks, three 10,000 gallon asphalt storage tanks and one 15,000 gallon asphalt storage tank as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that the tanks will be covered entirely with sand; that fuel oil tanks will be buried in a concrete vault at ground level and will be covered with sand and earth; that Foamite or other fire extinguisher equipment will be installed as required by the board; that there is a yard hydrant on the premises; that as these premises are on the waterfront, it is impractical to bury the tanks; that the asphalt is non-inflammable.

Resolved, that the decision of the fire commissioner, dated June 13, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted* only so far as it has relation to the storage tanks as shown, located above ground, and as approved by the Dock Department, which has jurisdiction, as evidenced by a letter addressed to the fire commissioner dated May 8, 1939, *on condition* that the piping and fire-fighting protective equipment shall be installed as required and to the satisfaction of the fire commissioner and that a complete set of plans, as approved by the Dock Department, shall be filed with the fire commissioner.

1111-39-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer, for Alfred Rader, Acting Borough Superintendent, for Department of Housing and Buildings, Borough of Brooklyn.

OWNER OF PREMISES—William Crystal and Anna Crystal (Samuel Budoff, lessee).

SUBJECT—Application for the revocation of certificate of occupancy 66349 and permit 11430-31.

PREMISES AFFECTED—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman, Comm. Harry M. Prince, and David Shinetz.

For Opposition: Samuel Budoff, Harry V. L. Strelzin.

ACTION OF BOARD—Laid over to October 3, 1939, 2 P. M., on request of attorney for owner.

VARIATION OF LABOR LAW

905-39-S.

APPLICANT—M. F. Berglas Mfg. Co., owner.

SUBJECT—Variation of the labor law as cited in orders and a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—8-10 Fulton street and 1-13 Furman street, S.E. corner, and 1-11 Doughty street (Block No. 200, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph M. Stanford.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(905-39-S)

WHEREAS, M. P. Berglas Mfg. Co., owner, filed on July 6, 1939, an appeal for a variation of the Labor Law as cited in orders and a decision of the acting borough superintendent, department of housing and buildings, affecting premises 8-10 Fulton street, 1-13 Furman street, southeast corner, and 1-11 Doughty street (Block No. 200, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the acting borough superintendent, dated April 24, 1939, re Violation No. 51-39, reads:

"The balcony rails of fire escapes are not 36 in. in height and fire escape is not provided with counter-balanced stair from lowest balcony to the ground with a safe landing place for same.

You are hereby directed to have the above items complied with and have fire escapes painted. (Sec. 274 L.L.)"

and

WHEREAS, the order of the acting borough superintendent, dated April 19, 1939, re Violation No. 49, 1939, reads:

"The windows opening on course of fire escape on west side are not self-closing. Exit signs and lights are not provided over all openings leading to stairways and other exits. Cellar windows on west side are obstructed by stationary metal bars.

You are hereby directed to make windows opening on course of fire escape self-closing; provide exit signs and lights over openings to all stairways and other exits. Remove stationary metal bars from all windows. Metal bars shall be so constructed as to be readily movable or removable from both sides and shall be unlocked during working hours. (Secs. 274, para. 8 and 7; Secs. 272, pars. 3 and 4 L.L.)"

and

WHEREAS, the above orders were referred to in a decision of the acting borough superintendent, dated June 5, 1939; and

WHEREAS, the building is of brick construction, 5 stories (70 ft.) in height, 100 ft. by 40 ft. in area, located in an unrestricted use, A area, district; erected about 1893; equipped with a sprinkler system; occupied since 1910 as follows: Sub-cellar—none; Cellar—unused and access forbidden; 1st floor—storage shipping, 1 person; 2nd floor—carpenter and storage, 2 persons; 3rd floor—storage and office, 3 persons; 4th and 5th floors—spraying, dipping and storage, 2 persons per floor, total, 10 persons; and

WHEREAS, the applicant contends that the three basement windows are affected by the order; that the basement is kept vacant and all access thereto from inside the building has been barred and this condition will be maintained during the occupancy of the building by the owners, who are sole tenants; that the counterbalanced stair from lowest balcony of fire escape to ground has been omitted to prevent accident or burglary, as the building is unoccupied at night; that the lowest balcony of the fire escape is 6 ft. from sidewalk and there is a railing around the narrow areaway directly beneath the fire escape; that the building is fully

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sprinklered; that the fire escape balcony rails are 34 in. in height; that there is no manufacturing in the building other than one person making shipping crates and assembling cartons and similar work, which is not a continuous operation and there is a maximum of three persons repairing, buffing, dipping or spraying products manufactured outside the building and shipped to this plant for distribution.

Resolved, that the Board of Standards and Appeals be and it does hereby *make a variation* in the requirements of the Labor Law, and that the application be and it hereby is *granted*, modifying the decision of the acting borough superintendent of buildings as to Violation 51-39, *on condition* that there shall be provided from the lowest balcony of each fire escape, a means of reaching the ground which may be by steps or counterbalanced or fixed ladder and *on condition* that the requirements as to Violation No. 49-39 shall be complied with, except as modified by the board under Cal. No. 1320-17-S, as to iron bars on the windows, provided the fire-escapes are constructed, as shown on plans approved by the building department under Alteration No. 1365-11, and provided the railings are not less than 34 in. in height above the balcony and that the fire-escape shall be painted and maintained to the satisfaction of the borough superintendent of buildings.

APPLIANCES SUBMITTED FOR APPROVAL

222-35-SA.

APPLICANT—United States Burner Corporation, owner.
SUBJECT—Application for consideration—reopening and amendment to include additional names for the United States Gun Type Oil Burner.

APPEARANCES—

For Applicant: Harry Entricken.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(222-35-SA)

WHEREAS, United States Burner Corporation, owner, filed August 19, 1935, an application with the Board of Standards and Appeals, for approval of the device known as the United States Gun Type Oil Burner; and

WHEREAS, the device was submitted to the engineer of board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This burner is of the mechanical draft pressure atomizing type and was installed in steam boiler used for heating purposes. The burner is designed to use Nos. 1-2-3-4 commercial grades of fuel oil and consists of the following:

Leland 1/6 H.P. Motor; Webster unit consisting of pump, strainer and regulating valve; Sirocco type fan; and Benjamin nozzle.

Ignition—Electric, Jefferson transformer being used; voltage 110-10,000.

Controls—Penn steam switch and a saftrol, manufactured by Penn Electric Company.

With the oil supply shut off and a cold combustion chamber, the burner was operated, and on two successive tests, the controls shut the burner down in 89 and 91 seconds, respectively. The oil was then turned on and burner operated under actual working conditions. During the period of test, the flame was continuous non-fluctuating and free from smoke and soot.

Examination of the combustion chamber showed no undue carbon formations.

As a result of the above test, it is recommended that this burner be approved for industrial, commercial and domestic use, when installed in accordance with the Oil Burner Rules adopted July 12, 1935, by the Board of Standards and Appeals.

and

WHEREAS, this device was approved by the board October 1, 1935 and owner requested permission to market the device under the names Craftsman Oil Burner, Empire Oil Burner, Aristocrat Oil Burner and Welbilt Oil Burner.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as United States Gun Type Oil Burner, for domestic, commercial and industrial installation, when installed in accordance with the oil burner rules of the Board of Standards and Appeals, for use with fuel oil not heavier than No. 4, *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the

BOARD OF STANDARDS AND APPEALS

For Use in New York City

UNDER CAL. No. 222-35-SA.

Resolved further, that this burner may also be marketed under the name of Craftsman Oil Burner, Empire Oil Burner, Aristocrat Oil Burner and Welbilt Oil Burner, *on condition* that under whatever name marketed, the label hereinbefore required shall be attached.

265-37-SA.

APPLICANT—Radiant Utilities Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment re additional name—Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G.

APPEARANCES—

For Applicant: Jacob G. Goldberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(265-37-SA)

WHEREAS, the Radiant Utilities Corporation, owner, filed June 7, 1937, an application with the Board of Standards and Appeals for approval of their device known as the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles, was substantially as follows:

For the purpose of test, the Model 1G was selected. All these models are of the pressure atomizing gun type and the Model 1G consists of the following assembly: Leland 1/6 H.P. motor; Webster Fuel Unit consisting of pump, strainer and regulating valve; Sirocco type fan and a Monarch nozzle of a capacity of 1.35 to 2½ gallons per hour.

Controls—Minneapolis Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404.

Ignition—Electro. Webster transformer 110 to 10,000 volts. All other models are the same as above, with the following exception:

Model 2G has a capacity of from 2 to 3½ gallons per hour, and the fan is 5 in. x 3 in., the same as the Model 1G.

MINUTES

Model 3G has a 1/6 H.P. Motor. Capacity of 3 to 10 gallons per hour, and the fan is 7½ in. x 4 in.

Model 4G is identical with the Model 3G with the exception that the capacity is from 5 to 10 gallons.

Model 5G has a ¼ H.P. Motor, Fan 5 in. x 8 in. and a capacity of from 5 to 14 gallons per hour.

The parts and operation of all these burners were examined. The burner under test, Model 1G, was operated with a cold combustion chamber, and on two successive tests the controls operated and shut the burner down in 90 and 92 seconds respectively. The same controls are used throughout on all five models.

The burner 1G was then put into normal operation for a period of one hour. During the period of test there were no flare backs due to faulty ignition. The controls functioned as designed, and examination of the electrodes and combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G be approved for domestic and commercial installations when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards.

and

WHEREAS, this device was approved by the board June 29, 1937, on certain conditions and resolution amended October 26, 1937, to include the name Henjes Oil Burner and Lektro-matic Oil Burner, Models 1G, 2G, 3G, 4G and 5G and applicant requests permission to market the burner, under the names Arrow, Nu-Way, Heat and Power and Ameco.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G for domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards *on condition* that there shall be permanently attached to each burner installed a label reading:

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. NO. 265-37-SA.

Resolved further, that the burner may also be marketed under the names Henjes Oil Burner, Lektro-matic Oil Burner, Arrow Oil Burner, Nu-Way Oil Burner, Heat and Power Oil Burner, Ameco Oil Burner and *American Oil-saver Special*, each with Models 1G, 2G, 3G, 4G and 5G on condition, that under whichever name marketed, the burner shall comply with all the requirements of this resolution.

559-38-SA.

APPLICANT—Radiant Utilities Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment re additional name — Radiant Oil Burner, Model 2½M.

APPEARANCES—

For Applicant: Jacob G. Goldberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh

Negative

Absent

4

0

0

THE RESOLUTION—

(559-38-SA)

WHEREAS, Radiant Utilities Corporation, owner, filed June 30, 1938, an application with the Board of Standards and Appeals for approval of the device known as Radiant Oil Burner, Model 2½M; and

WHEREAS, this device with submitted to the Engineer of the board for test and report; and

WHEREAS, the report of Engineer, supplemented by that of the Division of Combustibles of the Fire Department, was substantially as follows:

This burner was installed in a steam boiler for domestic heating. The burner is of the pressure atomizing gun type, consisting of the following assembly: G. E. 1/6 H.P. Motor; Webster fuel unit, consisting of pump, regulating valve, strainer, Sirocco type fan and a Balloffet nozzle.

Ignition—Electric. Webster transformer, 110 to 10,000 volts.

Controls—Standard Minneapolis Honeywell controls, consisting of Protecto-Relay R-117 and Pressuretrol L-404.

With the oil supply shut off and a cold, combustion chamber, the burner was put into operation, and on two successive tests the controls functioned and shut the burner down in 42 and 44 seconds respectively. The burner was then put into normal operation, and all controls functioned as designed. During the period of test there were no flare backs due to faulty ignition, and examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is, therefore, recommended that the Radiant Oil Burner, Model 2½M, be approved for domestic and commercial use, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards.

and

WHEREAS, this appliance was approved by the board July 22, 1938, resolution amended to include additional names April 11, 1939, and applicant requests inclusion of name American Oil Saver.

Resolved, that the resolution adopted by the board on July 22, 1938, as amended by resolution adopted April 11, 1939, be and it hereby is further amended, only so far as it has reference to the names under which this burner may be marketed, so that as amended the resolution shall read:

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Radiant Oil Burner, Model 2½M, for use in domestic and commercial installations with fuel oil not heavier than No. 3, U. S. Department of Commerce standards, when installed and operated in accordance with the above report and with the Oil Burner Rules of the Board of Standards and Appeals, *on condition* that the burner shall have a label permanently affixed thereto reading:

Approved by the

BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. NO. 559-38-SA.

Resolved further, that the burner may also be marketed under the names Arrow Oil Burner, Lektromatic Oil Burner, Nu-Way Oil Burner, Heat and Power Oil Burner, Ameco Oil Burner, and *American Oilsaver Special Oil Burner*, Model 2½M, on condition that under whichever name marketed, the burner shall comply with all the requirements of this resolution.

56-39-SA.

APPLICANT—Willis M. Staubus, for William M. Staubus and Louis Katz, owners.

MINUTES

SUBJECT—Application for consideration—reopening and amendment—re Heat Master Oil Burner.

APPEARANCES—

For Applicant: Willis M. Staubus.

ACTION OF BOARD—Reopened and referred to committee on tests.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative
Absent

MATERIALS SUBMITTED FOR APPROVAL

199-39-SM.

APPLICANT—The Celotex Corporation, owner.

SUBJECT—Celotex—approval of.

APPEARANCES—

For Applicant: A. P. Green.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative
Absent

THE RESOLUTION—

(199-39-SM)

WHEREAS, the Celotex Corporation, owner, filed February 21, 1939, an application with the Board of Standards and Appeals for approval of the material known as Celotex; and

WHEREAS, this material was submitted to the committee on tests for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 199-39-SM.

Subject: Celotex Insulation Fibre Board.

The Celotex Corporation of Chicago, Illinois, filed February 21, 1939, an application with the Board of Standards and Appeals for approval of the Celotex Insulation Fibre Board under the requirements of the Fibre Insulation Board Rules of the Board of Standards and Appeals.

Celotex fibre insulation board is manufactured at Marrero, Louisiana, from long Bagasse fibre, which is sugar cane after the juice has been extracted, felted and held together by sizing and interweaving of the fibres to which a small amount of paper pulp is added, all as provided for in Federal Specification LL-F-321a. The material is then waterproofed and treated with a Ferox process which is claimed to render it immune to fungus, vermin and termites.

This material is manufactured for uses, sizes and thickness as follows:

Uses and Joints.

Building Board—Square.

Width
Length
Thickness

Sheathing—Square and Tongue groove.

Width
Length
Thickness

Plaster Base—all edges bevelled and long edges ship lapped.

Width
Length
Thickness

Roof Insulation—Square and Ship lapped.

Width
Length
Thickness

Ceiling Tile—Bevelled on surface edges tongue and groove ship lapped and double A.

Width
Length
Thickness

Fibre Insulation board for use as a plaster base has a rough surface on one side, and plain or asphalt and aluminum coated on the unplastered side. When used as a sheathing material the entire board is immersed in asphalt and one side is coated with aluminum paint. The roof insulation is the same as the plaster base except for thickness and is not bevelled. The building board and tile are identified by means of the finished surfaces having different textures, designs and colors.

Tests on these materials were made at the Laboratories of the R. W. Hunt Company for conformance with the requirements of the Rule 1 of Rules for Insulating Fibre Board, with results as follows:

BUILDING BOARD TEST

1/2 in. x 4 ft. x 8 ft.
(other than sheathing)

	Specifica- tion Re- quirements	Test Results
Thermal Conductivity—B.T.U. per hour per square ft. per degree F. per inch thickness	0.36 max.	0.347
Thermal Conductivity—B.T.U. per hour per square ft. per degree F. irrespective of thickness	0.72 max.	0.713
Transverse Strength — pounds — lengthwise	14 min.	18.8
Transverse Strength — pounds — crosswise	12 min.	13.5
Minimum deflection at ultimate load—inches	0.25 min.	0.60
Maximum deflection at ultimate load—inches	0.85 max.	0.82
Tensile Strength — pounds per square inch	175 min.	240.
Water Absorption—percent	5 max.	4.23
Linear Expansion—percent	0.50 max.	0.15
Nail Holding Strength #	*60#	65#

* for uses other than sheathing this requirement same as for Miscellaneous uses under the rules.

SHEATHING BOARD TEST

3/8 in. x 4 ft. x 8 ft.

	Specifica- tion Re- quirements	Test Results
Thermal Conductivity—B.T.U. per hour per square ft. per degree F. per inch thickness	0.36 max.	0.359
Thermal Conductivity—B.T.U. per hour per square ft. per degree F. irrespective of thickness	0.72 max.	0.427
Transverse Strength — pounds — lengthwise	21.75 min.	37.6
Transverse Strength — pounds — crosswise	18.75 min.	36.8
Minimum deflection at ultimate load—inches	0.25 min.	0.38
Maximum deflection at ultimate load—inches	0.85 max.	0.50
Tensile Strength — pounds per square inch	175 min.	182

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Water Absorption—percent	5	max.	2.64
Linear Expansion—percent	0.50	max.	0.10
Nail Holding Strength #.....	100#	Satisfactory	
	(see Columbia report #2451 racking test)		

PLASTER BASE TEST ½ in. x 18 in. x 48 in.

	Specifica- tion Re- quirements	Test Results
Thermal Conductivity—B.T.U. per hour per square ft. per degree F. per inch thickness.....	0.36 max.	0.358
Thermal Conductivity—B.T.U. per hour per square ft. per degree F. irrespective of thickness....	0.72 max.	0.706
Transverse Strength — pounds — lengthwise	14. min.	18.6
Transverse Strength — pounds — crosswise	12 min.	16.4
Minimum deflection at ultimate load— inches	0.25 min.	0.79
Maximum deflection at ultimate load— inches	0.85 max.	0.82
Tensile Strength — pounds per square inch	175 min.	337.5
Water Absorption—percent	5 max.	4.92
Linear Expansion—percent	0.50 max.	0.15
Nail Holding Strength #.....	70#	65#
Bond Strength # per sq. ft. of Bonded surface	700#	*863#

* See Hunt Report 12796-1 & 871783.

ROOF INSULATION TEST ½ in. x 22 in. x 47 in.

	Specifica- tion Re- quirements	Test Results
Thermal Conductivity—B.T.U. per hour per square ft. per degree F. per inch thickness.....	0.36 max.	0.349
Thermal Conductivity—B.T.U. per hour per square ft. per degree F. irrespective of thickness....	0.72 max.	0.670
Transverse Strength — pounds — lengthwise	7 min.	14.1
Transverse Strength — pounds — crosswise	7 min.	10.4
Minimum deflection at ultimate load— inches	0.25 min.	0.68
Maximum deflection at ultimate load— inches	1.25 max.	0.85
Tensile Strength — pounds per square inch	100 min.	237
Water Absorption—percent	10 max.	6.24
Linear Expansion—percent	—	0.10
Nail Holding Strength #.....	60#	65#

On the basis of the foregoing tests meeting the requirements of Rule 1 the Committee recommends the approval of Celotex Insulating Fibre Board in sizes and thicknesses as tested herein for use in accordance with the requirements of Rule 2 of the Insulating Fibre Board Rules of the Board of Standards and Appeals when installed in accordance with the requirements thereof and such additional requirements as the manufacturer may recommend and that the use of each class of board shall be limited to the uses prescribed herein. This material is shipped in packages and cartons and it is recommended that each container be marked, tagged or labelled as follows, with the use of each type of board indicated and in addition shall bear the following inscription, "Approved for use in New York City by the Board of Standards

and Appeals under Cal. No. 199-39-SM when installed under requirements of Insulating Fibre Board Rules of the Board of Standards and Appeals.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Celotex for the uses as listed above on condition that the material be manufactured, marked, tagged, labelled in accordance with the above report.

Adjourned, 4:20 P. M.

EDWARD V. BARTON, *Chief Clerk*.

BOARD OF STANDARDS AND APPEALS SPECIAL MEETING

FRIDAY MORNING, SEPTEMBER 22, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

GENERAL RESOLUTIONS

886-39-GR.

APPLICANT—Heating, Piping and Air-Conditioning Contractors New York City Association, Inc.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Interpretation of Section C26-1206-0, Administrative Code (14.1.13 Building Code) re Plumbing System-Waste Lines.

APPEARANCES—

For Applicant: Lloyd Almirall, John Tracey, Martin McCue, R. V. Garner, Herbert Smith, H. S. DeVoe.

For Opposition: Fred Brutseley, Edward Kuntz, Max Welder, William Dodd.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over indefinitely for board's interpretation (briefs to be filed).

921-39-GR.

APPLICANT — Progress Association of Steamfitters' Helpers Local No. 639 of the United Association.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Interpretation of Section C26-1206-0, Administrative Code (14.1.13 Building Code) re Waste Lines, Plumbing System.

APPEARANCES—

For Applicant: Lloyd Almirall, John Tracey, Martin McCue, R. V. Garner, Herbert Smith, H. S. DeVoe.

For Opposition: Fred Brutseley, Edward Kuntz, Max Welder, William Dodd.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over indefinitely for board's interpretation (briefs to be filed).

922-39-GR.

APPLICANT—Enterprise Association Local No. 638 of the United Association, of Journeymen, Plumbers and Steamfitters of the United States and Canada.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Interpretation of Section C26-1206-0, Administrative Code (14.1.13 Building Code) re Waste Lines, Plumbing System.

APPEARANCES—

For Applicant: Lloyd Almirall, John Tracey,

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Martin McCue, R. V. Garner, Herbert Smith,
H. S. DeVoe.

For Opposition: Fred Brutseley, Edward Kuntz,
Max Welder, William Dodd.

For Administration: Morris Hannes, Department
of Housing and Buildings.

ACTION OF BOARD—Laid over indefinitely for board's
interpretation (briefs to be filed).

Adjourned, 12:30 P. M.

EDWARD V. BARTON, *Chief Clerk.*

*CORRECTION

The minutes of the meeting of the Board of Standards
and Appeals held on September 27, 1938, as they appeared
in Bulletin No. 40, Vol. 23, are hereby corrected to read
as follows:

THE RESOLUTION—

(714-38-SM)

WHEREAS, George Gallico, for the Reynolds Metal Com-
pany, owner, filed August 11, 1938, an application with
the Board of Standards and Appeals for approval of the
material known as Reynolds Ecod Welded Wire Fabric;
and

WHEREAS, this material was submitted to the committee
of the board on tests; and

WHEREAS, the report of the committee on tests reads as
follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 714-38-SM.

Subject: Reynolds Ecod Welded Fire Fabric.

September 17, 1938.

The Reynolds Metal Co. of New York filed with
the board a request for the approval of their material
known as Reynolds Ecod Welded Wire Fabric for
use as a plaster base under such sections of the Ad-
ministrative Code as hereinafter specified.

Reynolds Ecod Welded Wire Fabric, more familiarly
known as "Ecod Lath", consists of flame proofed paper
(saline solution) on which are mounted steel V-shaped
ribs welded to cross wires which are woven through
the paper backing. The ribs from horizontal rein-
forcements and keys for plaster, the vertical wires also
form keys for plaster. The paper consists of one ply
Northern Kraft paper, .011" in thickness, and weighing
40#/1,000 sq. ft. The wire is #16 A.W.G. and is
woven through the paper at intervals of approximately
2" and spaced parallel vertically at 1½" centers. The
ribs consist of #26 U. S. Gauge ⅜" x 5/32" deep.
These ribs are placed on one side between the paper
backing and the wire and spaced at intervals of approxi-
mately 4" horizontally. All metal used in this material
is copper bearing or galvanized. Ecod Lath is fastened
to the studs with large head 4D nails through each
rib at each stud. This material is finished in sheets
31" x 48¾", weighing approximately 2 pounds per
sheet.

This material, in one form or another, has been in
use in New York City with approvals as follows:

NOVEMBER 19, 1921

Approved by Rudolph P. Miller, superintendent of
buildings, Manhattan, for ordinary partitions in non-
fireproof buildings.

JUNE 10, 1922

Approved by Charles Brady, superintendent of build-
ings, Manhattan, for use as a base for stucco when
applied over sheathing.

AUGUST 16, 1926

Approved by Charles Brady, superintendent of build-
ings, Manhattan, for use as a substitute for wood lath.

On December 13, 1934, this material was tested for
bond by the Board of Buildings at Columbia University
when its use as a substitute for wood lath was re-
quested.

On April 21, 1936, a report of an Underwriters'
Laboratory test #2510 was submitted to the Board of
Buildings in which the Underwriters recommended the

material as meeting their requirements as a one-hour
fire partition. The partition tested was constructed
of 2" x 4" studs 16 inches on centers, covered on both
sides with non-treated metal Ecod fabric, overlapping
¼" at sides and ¾" at ends, plastered with ⅜" scratch,
¼" brown and ⅛" finish coat.

On August 6, 1936, a test of a panel was made at
Columbia University for the purpose of meeting the
requirements of a one-hour fire test. This test con-
sisted of a 24" x 40" panel, constructed of 2" x 4"
studs covered with Ecod copper bearing fabric, plas-
tered with ¼" to ⅜" scratch coat, a ⅜" brown coat
and a ⅛" finish coat on each side. The results of this
test were reported by Columbia in their report #2426
as meeting the requirements of a one-hour fire test
partition.

The Board of Standards and Appeals conducted a
test at the applicant's plant at South Kearney, N. J.,
on September 16, 1938, for the purpose of investigating
a typical method of applying Ecod lath and plaster
to a partition, for bond and flame qualities of the
paper, and the firmness of the keying of the plaster to
this plaster base.

On the basis of the tests of the Board and of Co-
lumbia University and the Underwriters' Laboratories
as heretofore mentioned, approval is recommended of
a partition constructed of 2" x 4" wood studs not
more than 16" on centers covered with galvanized or
copper bearing Ecod metal fabric as herein described,
*with flame proofed moisture resistant integral paper
backing.* The sheets of Ecod lath shall be laid up with
broken joints, nailed to each stud at each rib with large
head 4D nails with side lap ¼", end lap ¾", and
plastered on both sides with gypsum or cement plaster
to at least ¾" grounds, *with base boards, chair rails
and mouldings of incombustible material,* as meeting
the requirements of C.26-636.0 subdiv. C. (B.C.
10.4.3.1), and further recommend *the same flame proofed
moisture resistant integral paper backed "Ecod lath"*
as a substitute for combustible lath, C.26-458.0 (B.C.
8.4.10.2), wherever the use of combustible lath is per-
mitted.

The committee recommends that the manufacturer
perforate the horizontal reinforcing strips to facilitate
nailing at each stud and to protect the plaster key af-
forded by this horizontal strip at the nailing point,
*unless a 26 gauge black copper bearing tempered steel
strip with perforations ½" C to C is used permitting
nailing without damaging the "V" rib,* and that care
should be exercised in binding all metal at corners.

The committee cannot make any recommendation for
approval under C.26-460 A.C. (8.4.10.4 B.C.), as it is
their opinion that Ecod lath does not meet the re-
quirements of the code wherein it specifies "No. 16
Steel Wire gage, 2" mesh, galvanized welded wire
fabric with integral backing and horizontal stiffening
members spaced not more than 5" on centers, plastered
on one side," whereas the Ecod lath if it can be con-
sidered as mesh, consists of #16 A.W.G. wire welded
to ribs 26 U. S. Gauge with a spacing of 1½" x 4".

This material is shipped in packages or cartons con-
taining 43 sheets or 50 yards. This material, when
delivered for use in New York City, shall have each
package or carton stamped, labelled or marked "Ap-
proved by the Board of Standards and Appeals, Cal.
No. 714-38-SM."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Resolved, that the Board of Standards and Appeals does
hereby approve the material known as Reynolds Ecod
Welded Wire Fabric, as a substitute for combustible lath,
C.26-458.0 (B.C. 8.4.10.2) and as meeting the requirements
of C.26-636, subdiv. e (B.C. 10.4.3.1), when manufactured,
installed and labelled in accordance with the above report.

*Correction—Words in italics added in report.

PUBLIC HEARING

PROPOSED RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES.

(1139-39-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, October 20, 1939, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for Inspection of Approved Opening Protective Assemblies.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Code (2.2.1.1) and C26-610.0 Administrative Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Building Code, it shall be tested as required in Section 10.1.18 and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved fire doors of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such doors are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Superintendent of Buildings, or by a recog-

nized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved door or window and the manufacturer and the number of such units to be manufactured.

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals. Where a door is of fire-proofed wood, such wood shall be submitted to tests for fireproof wood, as prescribed in the Code. Sect. 7.2.3.1 to 7.2.3.9 inclusive.

Rule 3—Labels.

3.1 Every approved Fire Door or Window before installation in a building under the provisions of the Building Code shall have securely attached to the door, a metal label of a design approved by the Board, giving the name of the door or window, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to an approved Fire Door, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the door or window a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each door or window manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of the same type and material as tested with approved Opening Protective Assembly.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

RULES FOR LIQUEFIERS USED TO CONVERT SOLID CARBON DIOXIDE TO A LIQUID AND/OR A GAS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION C 19-94.0 OF THE ADMINISTRATIVE CODE.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 26, 1936.
EFFECTIVE, JULY 27, 1936.

(262-35-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666 of the New York City Charter, for the carrying into effect the provisions of Section C 19-94.0 of the Administrative Code.

Rule 1. Certificate of Approval.

A Certificate of Approval shall be obtained by the manufacturer from the Fire Chief and Commissioner for each type of liquefier or converter to be used for the conversion of solid carbon dioxide to liquid carbon dioxide as in full compliance with these Rules. A Certificate of Approval shall also be obtained from the Fire Chief and Commissioner for each system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers as in full compliance with these Rules.

Rule 2. Certificate of Fitness.

A Certificate of Fitness shall be obtained from the Fire Chief and Commissioner for each operator of a liquefier system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers.

Rule 3. Inspection Test Report.

A disinterested inspection service, approved by the Fire Chief and Commissioner, shall inspect all material and workmanship of all liquefiers at the place of manufacture and shall verify compliance with these Rules, witness all tests and shall furnish the Fire Chief and Commissioner with a test report as follows:

- A. Test reports for liquefiers, other than redesigned portable cylinders, shall show all information called for in paragraph 23, I. C. C. Specification 3A, except as follows:
1. "Marks stamped into shoulder of cylinder." This shall be as per Rule "11 Marking" hereinafter specified. Actual markings shall be shown on test report.
 2. "Record of hydrostatic tests." This shall be as per Rule "9 Testing" hereinafter specified.
 3. Statement shall be furnished that liquefier covered in said test report comply with these Rules, and Certificate of Approval Number for the type of liquefier covered in said test report.
- B. Test report for converted portable cylinders for liquefier use shall show for each converted cylinder the following:
1. Liquefier Serial Number.
 2. Original number of cylinder used for conversion.
 3. Original ownership initials of cylinders used for conversion.
 4. Original I. C. C. marking of cylinder used for conversion.
 5. Original manufacturing test date of cylinder used for conversion, and name of original manufacturer.
 6. Test pressure applied to cylinder before conversion.
 7. Total expansion obtained on cylinder before conversion.
 8. Permanent expansion obtained on cylinder before conversion.
 9. Per cent expansion obtained on cylinder before conversion.

10. Elastic expansion obtained on cylinder before conversion.
11. Outside diameter and length of cylinder before conversion.
12. A statement that the above cylinders before conversion into liquefiers were tested in a water jacket in accordance with these Rules and I. C. C. Regulations and the results appear above.
13. A statement that the top thickness, opening for cover plate and distance across the corner where the side wall meets the bottom and at 45° to the side wall, was measured and the dimensions were found to conform with Rule 6, F. G. H and I.
14. A statement that after assembly each liquefier was given an open hydrostatic test to 3,000 lbs. and this pressure was held for at least two minutes without showing a pressure recession of more than 75 lbs.
15. The liquefier was marked as follows: (See Rule "11 Marking" for requirements.)
16. A statement that these liquefiers conform to these Rules, and that the type of liquefier has been approved under New York City Fire Department Certificate of Approval Number

Rule 4. Construction Other Than Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with Specifications of I. C. C. governing cylinders for CO². Closure devices other than screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

S

Where OD = Outside diameter of container

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.).

- B. The "Top" is defined as that portion of the liquefier in which the closure device is installed and where the ice is introduced.
- C. The minimum thickness of the top before machining shall be at least 3½ times the wall thickness.
- D. The minimum thickness of the top after machining shall be at least 3 times the wall thickness.
- E. The minimum distance from edge of the hole cut or shaped for the closure device to the outside of wall shall be 4½ times the wall thickness.
- F. The maximum width of the machined seat shall not be more than 1½ times the wall thickness.
- G. The outside radius connecting the top of the liquefier to its side wall shall not be more than 1½ times the wall thickness.
- H. The inside radius connecting the side wall to the top before machining, shall not be less than 2½ times the wall thickness.
- In lieu of the requirements as set forth in C to H inclusive above:
The top portion of the liquefier including closure plate

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shall be designed with a factor of safety of not less than two at a test pressure of 3000 lbs. per sq. inch. The design shall be proven by a test to destruction for each type of liquefier before a certificate of approval shall have been issued.

- I. A large fillet shall be provided in the corner of the machined seat where it meets the inside radius.

Rule 5. Construction Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with specifications of I. C. C. governing cylinders for CO². Closure device of the screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container.

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

- B. The thread of the device shall be designed with a factor of safety of not less than 4 at a test pressure of 3,000 lbs. per sq. in. and the wall thickness after cutting thread shall not be less than that specified in Rule 5-A above.

Rule 6. Conversion of Portable Cylinders for Liquefier Use.

Seamless portable cylinders made to I. C. C. Specification 3 or 3A for oxygen or carbon dioxide and originally designed and used for the transportation of compressed or liquefied gases shall be acceptable for alteration or conversion into carbon dioxide liquefiers only under the following conditions;

- A. Cylinders which have been in a fire shall not be used for conversion into liquefiers until they have been properly heat treated and retested as specified in paragraph 423, of the I. C. C. Regulations.
- B. Cylinders which show surface dents, or which fail to give a clear ring on being struck with a hammer, shall not be used for conversion into liquefiers.
- C. Before conversion into liquefiers, each cylinder shall be submitted to a hydrostatic test of 3,000 lbs. pressure in a water jacket under the conditions specified in paragraph 424 of the I. C. C. Regulations and the total and permanent expansion shall be recorded. A cylinder shall be condemned when it leaks or when the permanent expansion exceeds 10 per cent of the total expansion.
- D. If in the hydrostatic test in the water jacket the net elastic expansion (total expansion less permanent expansion) at 3,000 lbs. exceeds the allowable limit given in the following table for the type of cylinder involved, such cylinder shall not be used for conversion into a liquefier. If the cubic capacity of a cylinder to be tested varies from the standard capacity given in the table for that type, then the allowable limit of elastic expansion will be varied in the same proportion.

TABLE I.

Type	Cubic Capacity	Elastic Expansion Allowable Limit
220 ft. oxygen	2,660 cu. in.	170 c.c.
200 ft. oxygen	2,660 cu. in.	170 c.c.
50 lbs. CO ²	2,360 cu. in.	150 c.c.

- E. No cylinders designed and used for a portable container shall have the thickness of the side wall reduced

by any cutting of threads in the process of conversion into a liquefier, except as specified in Rule "5-B Construction Screw Thread Type."

- F. If the closure is formed by using a portion of the former bottom as a seat, this shall only be permissible if the dimensions of the liquefier conform to those shown in the Tables II, III and IV.

TABLE II.

Type	Minimum Bottom Thickness
220 ft. oxygen.....	.66 in.
200 ft. oxygen.....	.66 in.
50 lbs. CO ²	.66 in.

TABLE III.

Type	Maximum Opening Permitted
220 ft. oxygen.....	6 1/8 in. x 7 1/8 in.
200 ft. oxygen.....	6 1/8 in. x 7 1/8 in.
50 lbs. CO ²	5 3/4 in. x 6 3/4 in.

TABLE IV.

Type	Minimum Thickness across corner at Point where the outside of the side wall meets the inside radius of bottom and at 45° to side wall.
220 ft. oxygen.....	5/8 in.
200 ft. oxygen.....	5/8 in.
50 lbs. CO ²	5/8 in.

- G. The maximum width of the machined seat for the gasket of liquefier shall be 5/16 in., and the inside radius connecting this seat to the side wall of the cylinder shall not be less than 1/8 in.

- H. The minimum thickness of closure plate shall be 5 times the wall thickness of the cylinder. The closure plate shall be of a good grade of billet steel. Castings not permitted.

- I. Before conversion into a liquefier, the cylinder shall meet a new hydrostatic test at the pressure at which such cylinder was originally tested, provided however, that no cylinder shall be converted unless for its original use it was tested to 3,000 lbs. pressure. Such new test shall be in a water jacket before conversion into a liquefier.

Rule 7. Spuds.

Spuds for chain connections or for reinforcing valve or pipe connections of not over 3/4 in. pipe size shall be welded before heat treatment at place of manufacture of the liquefier.

Rule 8. Safety Devices.

Each liquefier shall be provided with two safety devices of frangible disc type attached to the liquefier at a point not lower than 6 inches from the top. The cross section area of the discharge channel, or channels (of the safety device, or devices) shall be at least .006 sq. in. for each 25 lbs. of liquefier water capacity and .00024 sq. in. additional for each additional pound of water capacity. Safety devices having two or more outlets shall be so constructed that these outlets will have a combined total area of not less than one and one-half times that prescribed for the safety discharge channel. The frangible disc of the safety devices shall be designed to release at a pressure of not more than 2,000 lbs. per sq. in.

Rule 9. Testing.

Each liquefier after assembly shall be tested hydrostatically by an approved independent testing agency for not less than two minutes to a pressure of 3,000 lbs. per sq. in. without showing a pressure recession of more than 75 lbs.

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per sq. in. The inspection service shall file a satisfactory record on test report stating that the liquefier passed the above required test.

Rule 10. Quinquennial Test.

Liquefiers used for any purpose shall be retested at least every five years to a pressure of 3,000 lbs. per sq. in. in the same manner and under the same requirements as at the time and place of manufacture and the date of retest shall be stamped thereon.

Rule 11. Marking.

Each liquefier shall bear marking as follows:

- A. Name of owner.
- B. Serial number.
- C. Name or trade mark of manufacturer.
- D. Date of manufacture.
- E. Test pressure.
- F. Inspection service mark.
- G. Maximum filling charge based on filling to not more than 68 per cent of the water content by weight.

Rule 12. Filling.

Each liquefier shall be placed and used in a vertical position with filling effected while liquefier is properly secured.

Rule 13. Maximum Charge.

Liquefiers shall not be filled with solid carbon dioxide in excess of 150 lbs. nor in excess of 68 per cent by weight of the water capacity of the liquefier.

Rule 14. Use of CO² Systems and Liquefiers.

- A. Carbon dioxide liquefier converting systems for filling portable cylinders shall not be used in any building occupied in whole or in part as a residence or as a multiple dwelling, or as place of public assembly, or in a building not used exclusively for manufacturing purposes.
- B. Except in buildings used exclusively for the manufacture of carbon dioxide or other compressed gases, not more than 8 liquefiers of a maximum combined capacity of 1,200 lbs. of carbon dioxide shall be headed in a battery and not more than one such battery shall be permitted in a building.
- C. Liquefiers may be manifolded only by the use of extra heavy steel or wrought iron pipe, or extra heavy seamless copper or brass tubing, of not larger than ¾ in. I. P. S. Fittings shall be high pressure forged steel or extra heavy bronze hydraulic type.
- D. Each manifold shall be protected by a frangible disc safety device of the same size and type as those prescribed for the liquefier, and designed to release at a pressure of not more than 2,000 lbs. per sq. in. In addition, the liquid manifold shall be protected by a spring safety valve so set as to relieve the pressure at not more than 1,600 lbs. per sq. in.
- E. When carbon dioxide gas is conducted through pressure reducing valve between liquefier and point of use, the use of a heater will be permitted, but said heater

shall be so arranged that heat may be applied indirectly. This heater shall consist of a coil immersed in water. The source of heat shall then be applied to the water but not directly to the coil.

Rule 15. Test of Piping.

Each liquefier or battery of liquefiers to be used for the filling of portable cylinders or other containers with liquid carbon dioxide and all the piping connected thereto, shall be hydrostatically tested in the presence of the representatives of the Fire Chief and Commissioner before the solid carbon dioxide is first put into the system. A hydrostatic pressure of 2400 lbs. per sq. in. shall be maintained for fifteen minutes, released for five minutes, and again applied for a period of fifteen minutes without any visible leak or reduction of pressure. This test shall be repeated at least every five years.

Rule 16. Approval Systems for Filling Portable Cylinders.

Each liquefier or battery of liquefiers used for filling portable cylinders or other containers, shall be permanently labeled or marked showing the Fire Department Certificate of Approval Number together with date of last test.

Rule 17. Acceleration.

Defrosting, or acceleration of liquefaction, shall be by use of water only, the water shall be of a temperature not above 85° Fahrenheit.

Rule 18. CO² Portable Cylinders.

- A. Portable cylinders or other containers to be filled with liquid carbon dioxide shall be constructed and marked in accordance with the Specifications of the Interstate Commerce Commission for carbon dioxide cylinders and shall have been tested within intervals of not more than five years as evidenced by official marking. Cylinders not so constructed and marked shall not be filled with carbon dioxide.
- B. The maximum filling of liquid carbon dioxide, with one pound allowable variation in each cylinder, shall not be over 20 lbs. for standard cylinders 5½ in. in diameter by 51 in. long, nor over 50 lbs. for standard cylinders 8½ in. in diameter by 51 in. long and larger. No cylinder shall be filled with carbon dioxide to more than 68 per cent of the water capacity, by weight, of the cylinder.
- C. The amount of liquid carbon dioxide charged into portable cylinders or other containers shall be determined by weight by use of a dial scale having a movable indicator, and this weight shall also be checked after disconnecting from the charging line.

Rule 19. Existing Installations.

Liquefiers or converters to which these rules and regulations cannot be applied, may be maintained and operated if approved by the Board of Standards and Appeals, under such conditions as are deemed necessary in the interest of public safety.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

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RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Borough Superintendent of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

- 2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.
- 2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.
- 2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.
- 2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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- 3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.
- 3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

- 4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.
- 4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.
- 4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.
- 4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.
- 4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.
- 4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.
- 4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.
- 4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

- 4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.
- Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

- 4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.
- 4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.
- 4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.
- 4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.
- 4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.
- 4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.
- 4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.
- 4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.
- 4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction.
- 4.4.1 Artificial lighting shall be only by means of electricity.
- 4.5 LIGHTING FIXTURES.
- 4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

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- 4.5.2 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

RULES

6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.

6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.

6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
- Rule 3.1 Air Exhaust System.
- 3.2 Air Supply and Mixing.
- Rule 4.1 Construction of Spray Booths.
 - 4.1.3 Surfacing of Booths.
 - 4.1.5 Surfacing of Booths.
 - 4.2.2 Maintenance of Ducts.
 - 4.2.5 Electric Lighting.
 - 4.2.6 Method of Induced Draft.
 - 4.4 Separation of Booth from Flame.
 - 4.4 Location of Motors.
- Rule 5.1 Certificate of Fitness.
- 5.2 Smoking, Matches, etc.
- 5.6 Maintenance of Equipment.
- 5.7 Cleaning Implements.
- 5.9 Fire Appliances.
- 5.10 Accumulation and disposal of waste materials.
- 5.12 Motor Vehicles in booths or rooms.
- Rule 6. Storage and Mixing.
- Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Automatic Paint Sprayer.....477-37-SA.
Binks-Hu-Ro-Thor-Hurley Spray Equipment...338-32-SA.
De Vilbiss Spray-Painting Equipment.....336-32-SA.
Eclipse Spray Painting Equipment.....151-38-SA.
Eureka Paint Sprayer.....478-37-SA.

Milburn Spray Painting Equipment.....492-38-SA.
Paasche Spray Painting Equipment.....363-32-SA.
Sharpe Spray Guns, Models B-21, C-21, RA-21,
RC-21, GA-37, GC-37, Bear-Cat, K, KF, KO,
L, M-2, M-4, FA-36 and FC-36.....604-38-SA.
Spraco Spray Painting Equipment.....479-32-SA.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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Approved Fuel Oil Fill Pipe Terminals.

Proposed Rules for Inspection of Approved Opening Assemblies.

Rules relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply.

Approved Vacuum Breakers.

Insulating Fibre Board Rules.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to September 26, 1939.

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
1152-39-BZ.....	H.B.Q.....	77-15 and 77-35 113th street, entire block, north side of 77th avenue and south side of 78th avenue, from 113th street to 113th place (Grand Central parkway extension); (Block No. 2269, Lot Nos. 2-24-32), Forest Hills, Borough of Queens, N.B. 5077-39 & 5383-39.
1153-39-BZ.....	H.B.B.....	1522-1526 Kings highway, southwest corner of East 16th street (Block No. 6798, part of Lot No. 42), Borough of Brooklyn, N.B. 1731-39.
1154-39-BZ.....	H.B.Q.....	East side of Chevy Chase road, 41 ft. south of Avon road (Block No. 12134 (71), Lot Nos. 1277 to 1293, inclusive, 1296 to 1303, inclusive, and 1271 to 1274, inclusive), Jamaica Estates, Borough of Queens, N.B. 2196-39.
1155-39-A.....	H.B.B.....	363A 12th street, north side, 167 ft. 7 in. east of Sixth avenue (Block No. 1024, Lot No. 76), Borough of Brooklyn, Alt. 3139-39.
1156-39-SM.....		Barber Genasco Asphalt Waterproofing manufactured by Barber Asphalt Corporation, Material.
1157-39-SM.....		Barber Genasco Asphalt Flooring manufactured by Barber Asphalt Corporation, Material.
1158-39-A.....	H.B.B.....	234 Meeker avenue, south side, 169 ft. west of Lorimer street (Block No. 2746, Lot No. 21), Borough of Brooklyn, Applic. 3493-39.
1159-39-A.....	H.B.Q.....	176-01 (also known as 175-02) Baisley boulevard, east side, Irwin place and 120th avenue (Block No. 3180, Lot No. 1), St. Albans, Borough of Queens, Misc. Applic. 622-39.
1160-39-BZ.....	H.B.Q.....	376 Seneca avenue and 482 Stockholm street, southeast corner (Block No. 3428, Lot Nos. 16, 17, 19, 21, 23 and 25), Ridgewood, Borough of Queens, Misc. Applic. 5949-39.
1161-39-BZ.....	H.B.B.....	4302-4308 Farragut road, southeast corner of East 43rd street (Block No. 5018, Lot No. 38), Borough of Brooklyn, Alt. 11965-38.

1162-39-A.....	H.B.B.....	8782-8794 26th avenue, southwest corner of Bath avenue (Block No. 6895, Lot No. 41), Borough of Brooklyn, B.N. 4810-39.
1163-39-A.....	F.D.....	Re Transportation of gasoline in tank truck (not of approved type) in New York City, 18644-L.C. & Decision.
1164-39-A....	F.D.....	114 West 30th street, south side, 176 ft. west of Sixth avenue (Block No. 805, Lot No. 71), Borough of Manhattan, 18285-L.C. & Decision.
1165-39-A.....	H.B.Q.....	50-23 23rd street, northeast corner of 51st avenue (Block No. 104, Lot No. 1), Long Island City, Borough of Queens, N.B. 7407-39.
1166-39-A.....	H.B.B.....	130 Hicks street, west side, 45 ft. south of Clark street (Block No. 235, Lot No. 44), Borough of Brooklyn, Alt. 3477-39.
1167-39-SM.....		Mohawk Portland Cement Stucco manufactured by C. A. DeLevante, Inc., Material.
1168-39-SM.....		Mohawk Portland Cement Paint manufactured by C. A. DeLevante, Inc., Material.
1169-39-SM.....		Mohawk Keene's Cement Finishing Plaster and Mohawk Caenstone and Travertine manufactured by C. A. DeLevante, Inc., Material.
1170-39-SM.....		Federal American Featherweight Nailing Concrete Roof Slab for use on floors and roofs manufactured by Federal-American Cement Tile Company, Material.
1171-39-SM.....		Drigard and Rustgard Liquid Waterproofing manufactured by Drigard Products Corporation, Material.
1172-39-BZ.....	H.B.B.....	1874 McDonald avenue, west side, 98 ft. north of Quentin road (Block No. 6632, Lot Nos. 36 to 38, inclusive), Borough of Brooklyn, B.N. 5659-39.
1173-39-A.....	H.B.R.....	234 New Dorp lane, west side, 20 ft. north of 10th street (Block No. 4211, Lot No. 35), New Dorp, Borough of Richmond, Alt. 265-39.
1174-39-BZ....	H.B.M.....	280-286 St. Nicholas avenue, north side, 100 ft. east of West 124th street (Block No. 1951, Lot Nos. 19 to 22, inclusive), Borough of Manhattan, Decision re Certificate of Occupancy.

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1175-39-BZ.....H.B.B.....2201-2209 Beverly road and 149-175 East 22nd street, north-east corner (Block No. 5133, Lot Nos. 38 to 49, inclusive), Borough of Brooklyn,
B.N. 6499-39 to 6507-39, inclusive.

1176-39-SM.....Atlas High-Early Portland Cement manufactured by Universal Atlas Cement Company, Material.

1177-39-A.....H.B.Q.....60-19 to 60-21 Roosevelt avenue, northeast corner of 60th street (Block No. 1229, Lot No. 16), Woodside, Borough of Queens,
Misc. Applic. 4168-39.

1178-39-SM.....Berry-Cel Mineral Acoustical Tile manufactured by F. E. Berry, Jr. & Co., Inc., Material.

1179-39-A.....H.B.Q.....Southeast corner of 186th street and 58th avenue and east side of 186th street, 200 ft. south of 58th avenue (Block No. 1421, Lot No. 65), Flushing, Borough of Queens,
N.B. 7727-39 to 7731-39, inclusive, and N.B. 7587-39.

1180-39-A.....H.B.Q.....Southwest corner of 186th street and 58th avenue and west side of 186th street, from 40 ft. to 160 ft. south of 58th avenue (Block No. 1421, Lot No. 65), Flushing, Borough of Queens, N.B. 7732-39 to 7736-39, inclusive.

1181-39-BZ....H.B.Bx....Northwest corner of Sedgwick avenue and West 167th street (Block No. 2540, Lot Nos. 16, 21 and 24). Borough of The Bronx, Decision re Certificate of Occupancy.

1182-39-BZ....H.B.Bx....1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block No. 2506, Lot No. 58), Borough of The Bronx, Decision re Certificate of Occupancy.

1183-39-BZ....H.B.Bx....3057 Webster avenue, north side, 298.78 ft. east of Moshulu parkway north (Block No. 3331, Lot No. 73), Borough of The Bronx, Decision re Certificate of Occupancy.

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685-24-BZ.....H.B.B.....33-47 Nassau avenue, north side, from Guernsey street to Dobbin street (Block No. 2643, Lot Nos. 30, 31, 32, 33 and 36), Borough of Brooklyn, Applic. 2260-37.

46-37-BZ.....H.B.Q.....90-61 Myrtle avenue, north side, 575 ft. east of Woodhaven boulevard (Block No. 3883, Lot No. 1), Glendale, Borough of Queens, N.B. 6808-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Ex.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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OCTOBER 3, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 3, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 411-39-BZ—Application, March 31, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Violet Bazerman,

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owner, to permit in a business use district, the extension of an existing gasoline service station; premises 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

CAL. NO. 1013-38-BZ—Application, November 10, 1938, under section 7h of the building zone resolution, of John Beveridge, applicant and lessee, on behalf of Jesse Knight, Edith Howells, Daisy Howells, American Savings Bank, Ernest Hoehn and Union Dime Savings Bank, owners, to permit in a business use district, the parking and storage of more than five (5) motor vehicles; premises 1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21 to 25, inclusive), Borough of Manhattan.

CAL. NO. 844-38-BZ—Application, October 4, 1938, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Lena Maria Rasch, owner (William Aaron and Leo Goldberger, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2717-2739 Pitkin avenue, northeast corner of Euclid avenue (Block No. 4214, part of Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 3, 1939, 2 P. M.

Appeals from Administrative Decisions

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1040-39-A—309 East 49th street, north side, 125 ft. east of Second avenue (Block No. 1342, Lot Nos. 6-9), Borough of Manhattan.

909-39-A—166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens.

1058-39-A—24 First avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.

980-39-A—93-30 Van Wyck boulevard, west side, 62 ft. north of 94th avenue (Block No. 522, Lot No. 14), Jamaica, Borough of Queens.

1021-39-A—2948-2954 Third avenue, east side, 149.32 ft. north of East 152nd street and 639-647 Bergen avenue (Block No. 2362, Lot Nos. 44-47 and 65-68, inclusive), Borough of The Bronx.

1053-39-A—165-18 South road (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.

983-39-A—40-58 Washington street, 35-53 Main street, 73-95 Front street and 88-110 Water street (9th floor, Bldg. No. 6); (Block No. 37, Lot No. 1), Borough of Manhattan.

998-39-A—628-630 Driggs avenue, southwest corner of North 4th street (Block No. 2352, Lot No. 20), Borough of Brooklyn.

1035-39-A—1001-1019 Irving avenue, northwest corner of Covert street (Block No. 3539, Lot No. 1), Ridgewood, Borough of Queens.

1037-39-A—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

1024-39-A—156-158 Perry street, south side, 60 ft. west of Washington street (Block No. 637, Lot No. 21), Borough of Manhattan.

1120-39-A—554 Broome street, north side, 154 ft. 2 in. west of Sixth avenue (Block No. 491, Lot No. 28), Borough of Manhattan.

1003-39-A—42-49 to 42-61 24th street and 24-01 to 24-15 43rd avenue, northeast corner (Block No. 429, Lot No. 3), Long Island City, Borough of Queens.

1066-39-A—93-41 170th street and 170-05 Douglas avenue, northeast corner (Block No. 1177, Lot No. 102), Jamaica, Borough of Queens.

1067-39-A—70 South street, southwest corner of Depeyster street (Block No. 37, Lot No. 45), Borough of Manhattan.

1102-39-A—634 Madison avenue, west side, 25 ft. north of East 59th street (Block No. 1374, Lot No. 14), Borough of Manhattan.

1185-39-A—Entire block, bounded by Gouverneur, Madison, Jackson and Water streets (Buildings Nos. 1 to 18, inclusive); (Block No. 260, Lot No. 1), Borough of Manhattan.

1186-39-A—345M to 367M Madison street, north side, 95.79 ft. east of Scammel street through to Henry street (Buildings Nos. 19 and 20); (Block No. 267, Lot No. 24), Borough of Manhattan.

1187-39-A—14J to 22J Jackson street, northeast corner of Monroe street and south side of Madison street (Buildings Nos. 22 and 24); (Block No. 265, Lot Nos. 1 and 2), Borough of Manhattan.

1188-39-A—28J to 44J Jackson street, northeast corner of Cherry street and south side of Monroe street (Buildings Nos. 21 and 23); (Block No. 263, Lot Nos. 40-45), Borough of Manhattan.

1193-39-A—1 to 19, inclusive, Seventh avenue, east side, from West 11th street to West 12th street, 143 to 157, inclusive, West 11th street and 148 to 178, inclusive, West 12th street (Block No. 607, Lot Nos. 1, 67 and 68), Borough of Manhattan.

1195-39-A—625-629 West 130th street, north side, 325 ft. east of 12th avenue (Block No. 1997, Lot No. 14), Borough of Manhattan.

924-39-A—72-76 Grand avenue, west side, 120 ft. north of Park avenue (Block No. 892, Lot No. 48), Borough of Brooklyn.

960-39-A—21-25 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

1055-39-A—8 Opal court, south side, 40 ft. west of Madoc avenue (Block No. 7547, Lot No. 1865), Borough of Brooklyn.

1073-39-A—14 Herbert street, south side, 123 ft. east of Graham avenue (Block No. 2830, Lot No. 6), Borough of Brooklyn.

1124-39-A—393-404 Gold street, east side, 54 ft. 11 in. north of Willoughby street, 137-149 Wil-

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loughby street and 266-280 Flatbush avenue extension (Block No. 2060, Lot No. 41), Borough of Brooklyn.

- 1126-39-A—975 East 9th street, east side, 140 ft. north of Avenue "J" (Block No. 6522, Lot No. 56), Borough of Brooklyn.
- 1134-39-A—6914-6918 Fifth avenue, west side, 102 ft. 8½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.
- 1155-39-A—363A 12th street, north side, 167 ft. 7 in. east of Sixth avenue (Block No. 1024, Lot No. 76), Borough of Brooklyn.
- 1143-39-A—1721 Fowler avenue, west side, 200 ft. south of Morris Park avenue (Block No. 4094, Lot No. 11), Borough of The Bronx.
- 1147-39-A—411 Faile street, west side, 100 ft. north of East Bay avenue (Block No. 2772-A, Lot No. 59), Borough of The Bronx.
- 1063-39-A—44-10 Broadway, south side, 75 ft. west of 45th street (Block No. 707, Lot No. 33), Astoria, Borough of Queens.
- 1117-39-A—181-14 Kildare road, south side, 99.96 ft. east of Surrey place (Block No. 7232, Lot No. 13), Jamaica, Borough of Queens.
- 1118-39-A—41-01 and 41-02 10th street, super block, bounded by 41st avenue, 12th street, 41st road and 10th street (Block Nos. 465 and 466, Lot No. 35), Long Island City, Borough of Queens.
- 1069-39-A—73-04, 73-08 and 73-12 184th street, southwest corner of 73rd avenue and west side of 184th street, 48.24 ft. and 88.24 ft. south of 73rd avenue (Block No. 7171, Lot No. 1), Jamaica, Borough of Queens.
- 1070-39-A—73-03, 73-07 and 73-11 184th street, southeast corner of 73rd avenue and east side of 184th street, 42.17 ft. and 84.17 ft. south of 73rd avenue (Block No. 7172, Lot No. 1), Jamaica, Borough of Queens.
- 1071-39-A—73-04, 73-08 and 73-12 185th street, southwest corner of 73rd avenue and west side of 185th street, 49.77 ft. and 90 ft. south of 73rd avenue (Block No. 7172, Lot No. 1), Jamaica, Borough of Queens.
- 1144-39-A—703 Fairview avenue and 202 Palmetto street, southeast corner (Block No. 3489, Lot No. 1), Ridgewood, Borough of Queens.
- 1148-39-A—67-141 Burns street, north side, 381.60 ft. east of Yellowstone boulevard (Block No. 3234, Lot No. 90), Forest Hills, Borough of Queens.
- 1150-39-A-WF—134-24 Northern boulevard, south side, 123 ft. west of Prince street (Store No. 6); (Block No. 4976, Lot No. 36), Flushing, Borough of Queens.
- 1179-39-A—Southeast corner of 186th street and 58th avenue and east side of 186th street, 200 ft. south of 58th avenue (Block No. 1421, Lot No. 65), Flushing, Borough of Queens.
- 1180-39-A—Southwest corner of 186th street and 58th avenue and west side of 186th street, from 40 ft. to 160 ft. south of 58th avenue (Block No. 1421, Lot No. 65), Flushing, Borough of Queens.
- 1028-39-A—147 Cassidy place, north side, 164.42 ft. east of Clinton avenue (Block No. 71, Lot No. 28), New Brighton, Borough of Richmond.

Variation of the Labor Law

- 1038-39-S—15 East 56th street, north side, 225 ft. east of Fifth avenue (Block No. 1292, Lot No. 10), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 3, 1939*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 366-32-BZ—Application of Aaron A. Roth, applicant, on behalf of the Estate of Sarah Cook Montague, owner, Joseph E. Montague and George M. Thomson, executors, reopened September 12, 1939 re extension of permit — re Application, previously granted on condition under section 21 of the building zone resolution, for a temporary period, permitting in a business use district, the maintenance of a motor vehicle repair shop; premises 1385-1395 Webster avenue, west side, 772.49 ft. north of East 169th street (Block No. 2887, Lot Nos. 151 to 155, inclusive), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 10, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 10, 1939*, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 742-39-BZ—Application, June 5, 1939, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of F. D. Koehler Co., Inc., owner, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline service station; premises 1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

CAL. NO. 355-39-BZ—Application, March 21, 1939, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of Jeanette E. Thompson and Estate of A. G. Thompson, owners, to permit in a residence use district, the maintenance of garages for the storage of more than three (3) motor vehicles; premises South side of St. Johns avenue, 125 ft. west of Bay street (Block No. 2860, Lot Nos. 20 and 39), Rosebank, Borough of Richmond.

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side,

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345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 751-39-BZ—Application, June 7, 1939, under sections 7c and 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station; premises 921 Hunts Point avenue, south side, from Southern boulevard to Whitlock avenue, 948 Southern boulevard and 987 Whitlock avenue (Block No. 2735, Lot No. 30), Borough of The Bronx.

CAL. NO. 1047-39-BZ—Application, August 17, 1939, under section 21 of the building zone resolution, of Theodore F. Price, applicant, on behalf of Preder Realty Corporation, owner, to permit in a residence use district, the erection and maintenance of a garage for more than three (3) cars in a multiple dwelling for the use of the tenants thereof; premises Southeast corner of Oxford avenue and West 236th street (Block No. 3409-F, Lot No. 430 and part of Lot No. 433), Borough of The Bronx.

CAL. NO. 1092-39-BZ—Application, August 14, 1939, under section 21 of the building zone resolution, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district, the erection and maintenance of a garage for the storage of more than three (3) cars, appurtenant to a multiple dwelling for use of the tenants of such multiple dwelling; premises 84-49 168th street, east side, 150.82 ft. north of Gothic drive (Block No. 9859, Lot No. 88), Jamaica, Borough of Queens.

CAL. NO. 819-38-BZ—Application, September 24, 1938, under sections 7h and 21 of the building zone resolution, of Charles McEvoy, applicant and lessee, on behalf of Charles Jacobs, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 75-01 Broadway, northeast corner of 75th street (Block No. 1486 (499), Lot Nos. 13, 16 and 18), Jackson Heights, Borough of Queens.

CAL. NO. 425-39-BZ—Application, April 5, 1939, under section 7a of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Joseph Serpico, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 807 Metropolitan avenue, north side, 1-5 Bushwick avenue and 18 Maspeth avenue, southeast corner (Block No. 2907, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1222-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Louis Caner, owner, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores); premises 794-798 Saratoga avenue, west side, 100 ft. 2 $\frac{3}{4}$ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 10, 1939, 2 P. M.

Appeals from Administrative Decisions

906-39-A—419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan.

916-39-A—54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

386-39-A—41-45 Elliott place, northwest corner of Walton avenue (Block No. 2842, Lot No. 22), Borough of Brooklyn.

581-39-A—1510 Jessup avenue, east side, 884.8 ft. south of Featherbed lane (Block No. 2872, Lot Nos. 287, 293, 296, 298, 299 and 300), Borough of The Bronx.

752-39-A—245 Russell street, northeast corner of Meserole avenue (Block No. 2628, Lot No. 6), Borough of Brooklyn.

969-39-A—168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21 to 28, inclusive), Borough of Brooklyn.

1049-39-A—Re transportation of gasoline in tank truck (not of approved type) in New York City.

925-39-A—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

873-39-A—110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn.

Appliance Submitted for Approval

851-39-SA—Binks Circulating System for Paint Spraying.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 10, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 167-34-BZ—Application of Insular Realty Corporation, applicant and owner, reopened September 12, 1939 re extension of

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permit — re Application, previously granted on condition, under section 21 of the building zone resolution, for a temporary period, permitting in a business use district, the change of occupancy of an existing building to a motor vehicle repair shop; premises 1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Borough of Brooklyn.

CAL. NO. 685-24-BZ—Application of William H. Gompert, applicant, on behalf of Eugene Kienle, owner, reopened September 26, 1939 for consideration as to extension of time to obtain permits and complete work — re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the erection of a portion of the 3rd story of an existing building used for the manufacture of lithographic ink (permission to erect building was granted by the board); premises 33-47 Nassau avenue, north side, from Guernsey street to Dobbin street (Block No. 2643, Lot Nos. 30, 31, 32, 33 and 36), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 17, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 17, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 178-39-BZ—Application, February 14, 1939, under section 7f of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Buhrman Sand and Gravel Corporation, owner (Colonial Sand and Stone Co., Inc., lessee), to permit in a residence use district, the operation of a sand and gravel pit; premises East side of Douglaston parkway, 951.27 ft. south of 61st avenue (Block No. 8291, Lot No. 1), Douglaston, Borough of Queens.

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

CAL. NO. 703-38-BZ—Application, August 8, 1939, under section 7h of the building zone resolution, of Alice M. Johnston, applicant, on behalf of J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners (Charles Miller, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.

CAL. NO. 671-39-BZ—Application, May 22, 1939, under sections 7c and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Artbern Corporation, owner, (Reshen Sons, lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens.

CAL. NO. 465-39-BZ-WF—Application, April 13, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Sara V. Bolmer, owner (Daniel G. Bolmer, executor), to permit partly in a business use and partly in a residence use and "C" area district, the erection and maintenance of a parking lot, garage and bus terminal for more than five (5) motor vehicles and, also, the omission of the required rear yard within a "C" area district; premises 120-24 to 120-50 Queens boulevard, south side, 167.45 ft. west of 82nd avenue and 9 Kew Gardens road (Block No. 3358, Lot No. 13), Kew Gardens, Borough of Queens.

CAL. NO. 797-39-BZ—Application, June 15, 1939, under section 21 of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of Henry Sonn & Co., Inc., owner, to permit in a residence use district, the maintenance of a business use (three (3) stores) in part of the basement story of an existing multiple dwelling; premises 772-778 St. Nicholas avenue, east side, 200 ft. south of West 150th street and 331 Edgecombe avenue, west side, 259 ft. 10 in. south of West 150th street (Block No. 2053, Lot No. 114), Borough of Manhattan.

CAL. NO. 279-39-BZ—Application, March 6, 1939, under section 7h of the building zone resolution, of George J. Lobenstein, applicant, on behalf of Church Lane Realty Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2228-2238 Church avenue, south side, 213 ft. 8½ in. east of Flatbush avenue (Block No. 5103, Lot Nos. 36, 37, 137, 38, 39 and 40), Borough of Brooklyn.

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CAL. NO. 440-38-BZ—Application, June 2, 1938, under section 7h of the building zone resolution, of Sydne Schleman, applicant, on behalf of Hugh P. Skelly, owner (Marcy Rosen and Louis Ackerholt, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2902-2930 Surf avenue, southwest corner of West 29th street (Block No. 7068, part of Lot No. 1), Borough of Brooklyn.

CAL. NO. 737-39-BZ—Application, June 3, 1939, under section 7h of the building zone resolution, of Murray Klein, applicant, on behalf of Hein-Nolan Realty Co., Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-125 Bayard street and 441-463 Manhattan avenue, northwest corner (Block No. 2718, Lot No. 14), Borough of Brooklyn.

CAL. NO. 305-39-BZ—Application, March 11, 1939, under section 21 of the building zone resolution, of Giovanni Cuomo, applicant and owner, to permit in a residence use district and "F" area district, the maintenance of two (2) dwellings not conforming with the setback, side yard, rear yard and, also, occupancy of lot requirements of the building zone resolution; premises 150-43 to 150-47 114th street, east side, 115.47 ft. north of North Conduit avenue (Old South road); (Block No. 2677, Lot No. 13), Ozone Park, Borough of Queens.

CAL. NO. 585-39-BZ—Application, May 8, 1939, under sections 7a and 21 of the building zone resolution, of Vincent Schiliro, applicant, on behalf of Mary Schnappauf, owner, to permit in a residence use district, the erection and maintenance of a building to be used as a garage (not accessory to the dwelling on the same lot) and, also, for the storage of bottled beverages; premises 70-20 72nd street, west side, 250 ft. north of Central avenue (Block No. 3663, Lot Nos. 18 and 19), Glendale, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 17, 1939, 2 P. M.

Appeal from Administrative Decision

993-39-A—135-02 62nd avenue, south side, 260 ft. west of 136th street (Block No. 6389, Lot No. 1), Flushing, Borough of Queens (under Section 35, General City Law: Re Bed of Mapped Street).

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 17, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 79-35-BZ—Application of Stein and Wiener, applicants, on behalf of Patrick Filomino, for Filomino Building Corporation, owner, reopened September 19, 1939, for consideration as to extension of permit — re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the change of occupancy of part of an existing building to a motor vehicle repair shop for a temporary period; premises 3223 Laconia avenue, west side, 81.41 ft. north of Boston road (Block No. 4613, Lot No. 54), Borough of The Bronx.

CAL. NO. 364-36-BZ—Application of Thomas H. Simmons, applicant, on behalf of Joseph Wellner, lessee, for Edbro Realty Co., Inc., owner, reopened September 19, 1939, for consideration as to extension of permit — re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles; premises 31-64 to 31-86 31st street, west side, 100 ft. north of Broadway (Block No. 589, part of Lot No. 9), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 20, 1939, 10 A. M.

Rules

1139-39-SR—Proposed Rules for Inspection of Approved Opening Protective Assemblies.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 26, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, September 12, 1939, and the minutes of the regular meeting of the board held on Tuesday afternoon, September 12, 1939, were approved as printed in Bulletin No. 38, Vol. 24.

BUILDING ZONE CASES

703-38-BZ.

APPLICANT—Alice M. Johnston, for J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two years, the parking and storage of more than five (5) motor vehicles.

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PREMISES AFFECTED — 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of the Bronx.

APPEARANCES—

For Applicant: A. H. Cashion and Fred W. Paul.
For Opposition: None.

ACTION OF BOARD—Laid over to October 17, 1939 at 10 A. M., for inspection by committee of Board and decision without further argument.

819-38-BZ.

APPLICANT — Charles McEvoy (lessee), for Charles Jacobs, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—75-01 Broadway, northeast corner of 75th street (Block No. 1486, Lot Nos. 13, 16 and 18), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Jack Bartley and Charles McEvoy.
For Opposition: B. Fernandez, John A. Vassilios, Marie Cielo, Cassius C. Quimby, Mrs. A. Chmelik, Yves Parka, Elvira Oliva, R. W. Walden, and others.

ACTION OF BOARD—Laid over to October 10, 1939 at 10 A. M., for final decision without further argument. Applicant to supply additional information in meantime.

1222-38-BZ.

APPLICANT—Jack Z. Cohen, for Louis Caner, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores).

PREMISES AFFECTED—794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Potter.
For Opposition: Allan D. Emil, Hyman H. Zoetzel and Philip Cohen.

ACTION OF BOARD—Laid over to October 10, 1939, at 10 A. M., on request of attorney for applicant.

425-39-BZ.

APPLICANT—Charles N. Spindler, for Joseph Serpico, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7a of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—807 Metropolitan avenue, north side, 1-5 Bushwick avenue and 18 Maspeth avenue, southeast corner (Block No. 2907, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles N. Spindler.
For Opposition: None.

ACTION OF BOARD—Laid over to October 10, 1939, at 10 A. M., applicant to file revised plans.

671-39-BZ.

APPLICANT—Theodore R. Feinberg (Reshen Sons, lessees), for Artborn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Theodore R. Feinberg and Bernard Segall.

For Opposition: Nathan Rubin and Gerald Greenrege.

ACTION OF BOARD—Laid over to October 17, 1939, at 10 A. M., applicant to submit revised plans, and for further consideration by the board. No further argument.

903-38-BZ.

APPLICANT—Morris Goldberg, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3066-3076 West 23rd street, northwest corner of Riegelman boardwalk, and 3031 West 24th street (Block No. 7070, Lot Nos. 155, 171, 172, 173, 170 and part of 145), Borough of Brooklyn.

APPEARANCES—

For Applicant: Julian Bergoffen and Morris Goldberg.

For Opposition: Harry Serper.

For Administration: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(903-38-BZ)

WHEREAS, Morris Goldberg, owner, filed October 19, 1938, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five motor vehicles; premises: 3066-3076 West 23rd street, northwest corner of Riegelman boardwalk and 3031 West 24th street (Block No. 7070, Lot Nos. 155, 171, 172, 173, 170 and part of 145), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, September 26, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 23rd street is in a business use district; West 24th street is in a business use district; Surf avenue is in a business use district and Riegelmann boardwalk is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, re application No. 634-38, dated September 20, 1938, reads:

"Proposed parking space for more than five motor vehicles located in a business use district is contrary to Art. II, Sec. 4(a) subd. 15 of the Zone Resolution."

and

MINUTES

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 241 ft. on Riegelmann boardwalk, 236 ft. 9 in. on West 23rd street and 361 ft. 11 in. on West 24th street. Part of the West 23rd street frontage of the plot is occupied as bath houses. It is proposed to occupy the remainder of the plot for a temporary period of not more than two (2) years, for the parking of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h for a period of two (2) years, to permit a portion of the premises under appeal to be used for transient parking of more than five (5) motor vehicles, *on condition* that only cars of the pleasure car type shall be so parked; that the plot shall be leveled substantially to the grade of the surrounding streets; that there shall be erected on the street line of West 23rd street and the street line of West 24th street, a substantial woven wire fence not less than 6 ft. in height; that a similar fence shall be erected running easterly and westerly on a line of the northerly wall of the bath houses as extended to West 24th street, and no parking shall be permitted on the portion of the plot to the north of such fence; that on a line parallel to the boardwalk and approximately 35 ft. therefrom, there shall be maintained a steel cable supported on iron posts, to a height of approximately 4 ft., to prevent the parking of cars between such point and the boardwalk; that openings therein may be maintained to permit access to the beach; that this requirement of the Board is made without in any way jeopardizing any claim the owner may have as ownership of the premises adjoining the boardwalk; that entrances shall be restricted to one entrance from West 23rd street and one from West 24th street, no entrance to exceed 15 ft. in width with curb cuts opposite of similar width; that parking shall be primarily for the patrons of the bath house; that during the term of this variance, the vacant portion of the plot shall be used for no purpose other than as herein permitted; that no signs shall be erected thereon except there may be a sign not exceeding fifteen square feet in area attached to the fence at each entrance, advertising the use; that such sign shall not extend beyond the building line; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

1041-38-BZ.

APPLICANT—Tenzer, Greenblatt, Fallon and Kaplan, for Midtown Auto Storage Corp. (lessee), Board of Transportation, City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—335-365 Schermerhorn street and 2-8 Third avenue, northwest corner (Block No. 167, Lot No. 36 and part of 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Greenblatt, Charles Bender and Herbert H. Pensig.

For Opposition: Charles Tilgner.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1041-38-BZ)

WHEREAS, Tenzer, Greenblatt, Fallon and Kaplan, for Midtown Auto Storage Corp. (lessee), Board of Transportation, City of New York, owner, filed November 18, 1933, an application under section 7H of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises; 335-365 Schermerhorn street and 2-8 Third avenue, northwest corner (Block No. 167, Lot No. 36 and part of 28), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, September 26, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Schermerhorn street, Flatbush avenue, Third avenue and State street are in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings re application No. 15734-38, dated October 20, 1938, reads:

"Proposed storage and parking of more than 5 automobiles on Property described in a Business District Contrary to Art. 2, Sec. 4—Par. 15 of Zone Resolution. Therefore application denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 337 ft. on Schermerhorn street, 62 ft. 7 in. on Third avenue and 77 ft. 11 in. on Flatbush avenue. It is proposed to use the plot—excepting for an area 15 ft. deep and having a frontage of 62 ft. 7 in. on Third avenue and 21 ft. on Flatbush avenue, for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h for a period of two (2) years, to permit that portion of the premises unbuilt upon to be occupied for transient parking only, of more than five (5) cars, *on condition* that only automobiles of the pleasure car type shall be so parked; that the plot shall be leveled substantially to the grade of Schermerhorn street and shall be surfaced with steam cinders, clean gravel or other suitable material properly rolled and bound; that on the interior lot lines, where a wall or a substantial fence of adjoining occupancies do not occur, there shall be erected a substantial woven wire fence not less than 6 ft. in height; that a similar fence shall be erected on the street lines of Flatbush avenue and Schermerhorn street; that any entrances therein shall be restricted exclusively to Schermerhorn street to include three (3), not exceeding 15 ft. in width each, with curb cuts opposite not exceeding 14 ft. 6 in. in width for two (2) and 18 ft. for one (1) as indicated on plans filed with this appeal; that no portion of the plot shall be used for parking for a distance less than 15 ft. westerly from the line of Third avenue; that a similar fence shall be erected along such line; that

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during the term of this variance, the portion of the premises herein permitted for parking use shall not be used for any other purpose; that no building shall be erected thereon, except there may be erected not over two (2) buildings for office and shelter for the attendant; that such buildings shall not exceed an area of 150 sq. ft. and one (1) story in height each and may be of frame; that advertising shall be restricted to a sign at each entrance, attached to the fence and not extending beyond the building line and advertising the parking use; that such sign shall not exceed 15 sq. ft. each; that such portable fire fighting appliances shall be installed as the fire commissioner shall direct; that proper aisles shall be maintained at all times for easy entrance and egress; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

1044-38-BZ.

APPLICANT—Tenzer, Greenblatt, Fallon and Kaplan, for Midtown Auto Storage Corp. (lessee), Board of Transportation, City of New York, A. J. Nutting Corp., and Manpet Realty Co., Inc., owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—252-304 Schermerhorn street and 51-59 Bond street, southeast corner (Block No. 172, Lot Nos. 7, 10, 13 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Greenblatt, Charles Bender and Herbert H. Pensig.

For Opposition: Sol Norman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1044-38-BZ)

WHEREAS, Tenzer, Greenblatt, Fallon and Kaplan, for Midtown Auto Storage Corp. (lessee), Board of Transportation, City of New York, A. J. Nutting Corp., and Manpet Realty Co. Inc., owners, filed November 18, 1938, an application under section 7H of the building zone resolution, to permit in a business use district for a temporary period of not more than 2 years, the parking and storage of more than five (5) motor vehicles; premises: 252-304 Schermerhorn street and 51-59 Bond street, southeast corner (Block No. 172, Lot Nos. 7, 10, 13 and 18), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, September 26, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district accompanying the building zone resolution show that Schermerhorn street, State street, Bond street and Nevins street are in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings re Application No. 15735-38, dated October 20, 1938, reads:

"Proposed storage and parking of more than 5 automobiles on property described in a business district is contrary to Art. 2—Section 4—Par. 15 of Zone Resolution—therefore application denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 521 ft. 6 in. on Schermerhorn street and 70 ft. on Bond street. It is proposed to occupy the plot for a temporary period of not more than 2 years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted under* Section 7-H thereof for a period of two years from the date of this resolution, to permit the premises under appeal, consisting of Lots 7, 10, 13 and 18 in Block No. 172, to be used for the transient parking of more than five motor vehicles, *on condition* that the plot shall be leveled substantially to the grade of Schermerhorn street; that there shall be erected on all lot lines, except where substantial fences or walls of existing buildings do already occur, a substantial woven wire fence not less than 6 feet in height; that entrances and exits therein shall be restricted to five (5), all from Schermerhorn street and none exceeding 15 feet in width with curb cuts opposite not exceeding 18 feet in width each; that during the term of this variance, the premises shall be used for no other purpose; that the plot shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that no building shall be erected thereon, except there may be not over two buildings, not exceeding one story in height and not over 150 sq. ft. in area each, and which may be of frame, erected near the entrance as office and shelter for attendants; that no sign shall be erected except signs attached to the fence, not extending over the building line, advertising the transient parking use; that said signs shall not exceed 15 sq. ft. in area each; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all permits required shall be obtained and all work involved completed within three months from the date of this resolution.

571-39-BZ.

APPLICANT—David Millman, for Benjamin Hershman and Edna Schaar, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—205-217 South First street, north side, 142 ft. east of Driggs avenue (Block No. 2394, Lot Nos. 30 and 35, 32 and 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman, Herbert Peetz and Benjamin Hershman.

For Opposition: Rose Gittelson, Eugene M. Travis, Moses Helfgott and Jerome Edelman.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(571-39-BZ)

WHEREAS, David Millman, for Benjamin Hershman and Edna Schaar, owners, filed May 5, 1939, an application

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under section 21 of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 205-217 South First street, north side, 142 ft. east of Driggs avenue (Block No. 2394, Lot Nos. 30 and 35, 32 and 37), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 26, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that South First street is in a business use district; Grand street, Driggs avenue and Roebling street are in a business and unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings re Application No. 2244-39, dated May 2, 1939, reads:

"Proposed storage and parking of more than 5 automobiles in a business use district is contrary to Art. 2, Section 4-a, paragraph 15 of the Building Zone Resolution, therefore application denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 150 ft. on South First street and a depth of 76 ft. 8 in. Upon the plot is located a two (2) family, 2 story brick dwelling, 40 ft. by 20 ft. in area. It is proposed to occupy the remainder of the plot for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under Section 7, subdivision H for the use of the plot for the parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the Borough Superintendent, re Application No. 2244-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

750-39-BZ.

APPLICANT—Robert J. Farrington, for Abraham and Mollie Finger, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the extension of and also, the reconstruction of building on an existing gasoline service station; also the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—491-497 East 133rd street, northeast corner of Brown place (Block No. 2261, Lot Nos. 15 and 17), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert J. Farrington, Abraham Finger and M. Bates.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(750-39-BZ)

WHEREAS, Robert J. Farrington, for Abraham Finger and Mollie Finger, owners, filed an application under sections 7c and 21 of the building zone resolution, to

permit in a business use district, the extension and also the reconstruction of buildings on an existing gasoline service station; also, the parking of more than five (5) motor vehicles; premises: 491-497 East 133rd street, northeast corner Brown place (Block No. 2261, Lot Nos. 15 and 17), Borough of the Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, September 26, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 133rd street is in a business and unrestricted use district; East 134th street is in a residence use district; Major Deegan boulevard is in a residence use district; Brown place and Brook avenue are in a business, residence and unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings re N.B. Application No. 292-39, dated June 1, 1939, reads:

"1. Proposed gasoline station, lubritorium, auto laundry and parking for more than 5 motor vehicles in a business district, is contrary to Article No. 2, Section No. 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on East 133rd street and 100 ft. on Brown place; upon the easterly portion of the plot there is located a lunch wagon, which is to remain; upon the westerly portion of the plot there are located a metal office building, which is to be removed; a metal garage, which is to be removed; and grease pits and also the necessary tanks and pumps of a gasoline service station. It is proposed to erect upon the plot a one story structure 56 ft. 8 in. by 23 ft. 2 in. irregular in area, to be used as a store, auto laundry and lubritorium and to use the remainder of the plot (excepting that area occupied by the lunch wagon), as a gasoline service station. It is proposed also, to park more than 5 motor vehicles upon the plot; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore entitled to relief on the grounds of practical difficulty and unnecessary hardship to permit the reconstruction and rearrangement of the existing station and to extend the area under section 7-C.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, to permit the existing gasoline service station to be extended, rearranged and reconstructed substantially as indicated on revised plans marked "Received September 25, 1939", so that the gasoline station may occupy a plot of 100 ft. frontage on Brown place and 100 ft. frontage on East 133rd street, except that a space 20 ft. in width and 65 ft. in depth may be occupied by the existing lunch wagon; that all buildings now located upon the premises, other than the said lunch wagon, shall be removed and a new accessory building constructed toward the center of the plot, as indicated; that this accessory building shall be constructed of fireproof materials, except that window frames and sash, door frames and doors, roof beams and roof boarding may be of wood, provided the ceiling is fire-retarded throughout in accordance with the rules of the Board and the weather surfacing is of non-inflammable material; that the boilerroom shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that not more than one tandem grease pit may be installed toward the north in the open, as indicated; that the entire plot, where not occupied by accessory building, grease pit and lunch

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wagon, shall be cement paved; that there shall be erected on the interior lot lines to the north and east, a substantial wooden or metal fence; that gasoline pumps shall be not nearer than 13 ft. 6 in. to the building line of East 133d street and not nearer than 15 feet to the building line of Brown place; that curb cuts shall be restricted to two, each 30 ft. in width to East 133d street and two on Brown place, one 30 ft. in width and one 30 ft. 6 in. in width, located where indicated on plans; that all existing curb cuts not included in the curb permitted herein shall be restored; that a block of concrete not less than one foot in height and not less than 5 feet from the intersection of Brown place and East 133d street in every direction, shall be constructed and maintained; that signs shall be restricted to the permanent signs attached to the accessory building and the illuminated globes of the pumps prohibiting all temporary signs and roof signs, but permitting signs advertising the lunch wagon and permitting a post standard to be erected near the intersection of Brown place and East 133d street within the building line, supporting a sign which may be illuminated, advertising the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than 4 feet; that no motor vehicle repairing shall be carried on and that all permits required shall be obtained and all work involved completed within six months from the date of this resolution.

Adjourned, 2:30 P. M.

EDWARD V. BARTON, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 26, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

685-24-BZ.

APPLICANT—William H. Gompert, for Eugene Kienle, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district, the erection of a portion of the 3rd story of an existing building used for the manufacture of lithographic ink (permission to erect building was granted by the board).

PREMISES AFFECTED—33-47 Nassau avenue, north side, from Guernsey street to Dobbin street (Block No. 2643, Lot Nos. 30, 31, 32, 33 and 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: William H. Gompert.

ACTION OF BOARD—Application reopened and set for hearing October 10, 1939, at 2 P. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

46-37-BZ.

APPLICANT—Louise Hueppe, for Louise Hueppe and Carl E. Weiden, owners.

SUBJECT—Application for consideration—reopening and rehearing under a new proposal—re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution,

to permit in a residence use district, the erection and maintenance of a business building (previously denied re gasoline service station).

PREMISES AFFECTED—90-61 Myrtle avenue, north side, 575 ft. east of Woodhaven boulevard (Block No. 3883, Lot No. 1), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: A. M. Brownstein.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

100-34-BZ.

APPLICANT—Samuels and Samuels, for Kariene Burke, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—138-50 Jamaica avenue and 89-11 138th place, southeast corner (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Archie Samuels.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(100-34-BZ)

WHEREAS, Samuels and Samuels, for Kariene Burke, owner, filed, April 12, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 138-50 Jamaica avenue and 89-11 138th place, southeast corner (Block No. 1024, part of Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the board at its meeting July 3, 1934, for a temporary period of two years, on certain conditions, resolution amended July 19, 1935 for a temporary period of five years and owner requests a further extension because of Court procedure.

Resolved, that the Board of Standards and Appeals, does hereby *amend* its resolution of July 3, 1934, as amended July 19, 1935, so that as amended the resolution shall read as follows:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted for a period of five (5) years* from the date of this amended resolution, under section 21 *on condition* that the plot shall be levelled substantially to the grade of Jamaica avenue; that the accessory buildings shall consist of building toward the easterly end as indicated on plans marked 'Received July 2, 1934' for washing and greasing, and an office building located toward the southwesterly portion as indicated on this plan; that these buildings shall be not over one story in height and shall be of design and construction as indicated on plans marked 'Received July 2, 1934';

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that the ceilings shall be fire retarded in accordance with the rules of the Board of Standards and Appeals and the roof surfaced with slate or other approved incombustible materials; that on all lot lines other than the Jamaica avenue lot line there shall be constructed a face brick wall not less than 8 ft. in height except that this brick wall along 138th place, where it meets the street building line of Jamaica avenue, may start at a height of 4 ft. and be graduated upwardly at the rate of one foot in four to the 8 ft. height; that curbing of stone or concrete shall be constructed as indicated along the Jamaica avenue building line and also to enclose areas indicated for planting; that all other area where not covered by accessory buildings, walls and planting shall be cement paved or covered with cracked bluestone; that there shall be no openings to the interior lots or to 138th place except not over two (2) windows in the office building opening upon 138th place; that no gasoline pumps shall be erected nearer than 10 ft. to any street line nor to any part of an accessory building; that there shall be no portable gasoline pumps used on or from the property; that all signs advertising non-conforming uses shall be limited to illuminated globes of the gasoline pumps; that there shall be no excavation under the accessory buildings except pits for greasing racks; that there shall be no open flame permitted on the premises; that lights for general illumination shall be on pipe standards not over 10 ft. in height with metal reflectors arranged to reflect downwardly; that the entrances to the station shall be from Jamaica avenue only and shall not exceed two (2) in number, each not over 25 ft. in width; that the curb cuts shall not exceed 30 ft. in width; that prior to filing plans with the commissioner of buildings, plans shall be filed with this board and approved by chairman in behalf of the board; that such filing with this board shall be within two months; that all permits shall be obtained and that all work shall be completed one year from the date of this amended resolution."

566-38-BZ.

APPLICANT—Henry Nordheim, for Pauline Schechter, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—862 East 162nd street, south side, 125 ft. east of Prospect avenue (Block No. 2690, Lot No. 28), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(566-38-BZ)

WHEREAS, Henry Nordheim, for Pauline Schechter, owner, filed June 30, 1938, an application under the building zone resolution, to permit partly in a business use and partly in a residence use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises: 862 East 162nd street, south side, 125 ft. east of Prospect avenue (Block No.

2690, Lot No. 28), Borough of The Bronx; and

WHEREAS, this application was granted by the board March 7, 1939, on certain conditions, resolution amended June 13, 1939 and applicant requested an extension of time.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of March 7, 1939, as amended June 13, 1939, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 21 of the building zone resolution for a period of five (5) years from the date of this resolution to permit the continuance of the existing one-story brick garage on the rear of premises and the occupancy of such garage for the storage of more than five (5) motor vehicles, on condition that the two existing frame garages shall be either completely removed or reconstructed with masonry walls; that there shall be no storage of gasoline on the premises other than in the tanks of cars; that no repairing shall be carried on; that the building shall not be increased in height or area; that no cars shall be stored or parked on the premises, other than in the garage as herein permitted; that no opening shall be constructed in enclosing walls on the lot lines; that all openings in the building not now used or proposed to be used as entrance doors, shall be bricked up; that no signs shall be erected, advertising the garage use; and that all permits shall be obtained and all work shall be completed within two (2) months from the date of this amended resolution."

630-38-BZ.

APPLICANT—Bethlehem Engineering Corporation, for Mutual Life Insurance Company, owner.

SUBJECT—Application for consideration—reopening and amendment re decision of the acting borough superintendent of buildings—re Application, previously granted on condition, under sections 7b, 7c and 7g of the building zone resolution, permitting partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and garage for more than five (5) motor vehicles.

PREMISES AFFECTED—118-134 Park avenue, west side, from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Floyd H. Brown, David F. Goodman and John Peterkin.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(630-38-BZ)

WHEREAS, Bethlehem Engineering Corporation, for Mutual Life Insurance Company, owner, filed July 15, 1938, an application under the building zone resolution to permit partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and garage for more than five (5) motor vehicles,

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affecting premises 118-134 Park avenue, west side, from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan; and

WHEREAS, this application was granted September 27, 1938, the following resolution being adopted:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under sections 7-B, 7-C and 7-G, to permit the construction and use of the building substantially as indicated on plans and proposal filed with this application for use as an air-line bus terminal, air-line bus storage, motion picture theatre having not over 599 seats, and the transient storage of more than five (5) motor vehicles, *on condition* that the building shall be constructed throughout with Class One construction; that the building shall be faced with limestone or other natural stone on facades of all streets; that the elevators used for the air-line buses shall be entirely enclosed and separated from the balance of the building with fireproof materials; that the space to be used for the storage of automobiles shall be entirely separated from balance of building with fireproof construction with its own legal fireproof stairways independent of any other occupancy, leading directly to the street; that this portion of the building shall be protected with a two-source sprinkler system and a standpipe system and equipped with a system of mechanical ventilation of supply and exhaust in all parts; that the space beyond the building line used in connection therewith, shall be subject to proper license and franchise issued by the Borough President or any other city department authorized to issue same; that the approval of the Board of Transportation shall be obtained for the construction and use in connection with adjoining subway; that no storage of gasoline shall be permitted in the premises except in the individual tanks of the automobiles; that only motor vehicles of the pleasure car type shall be stored; that no servicing or repairing of automobiles whatever shall be conducted on the premises; that the theatre shall be separated from the balance of the building by fireproof construction with its own independent, legal exits to Park avenue and East 42nd street; that an additional pent-house story next above the waiting room, may be constructed for occupancy as office space in connection with the general uses of the building; that signs shall be restricted against any roof signs and any illuminating signs advertising the theatre or air-line bus use and permitting only such signs as would normally be required for the tenants of the building, except there may be erected on East 41st street, a sign advertising the parking use, which may extend beyond the building line for a distance not over two (2) feet and bearing the word 'Parking' with an arrow pointing to the parking entrance; that this sign shall not exceed an area of 20 sq. ft.; that the uses as herein permitted shall continue only so long as the main occupancy of the building is for the offices and bus station of the Air Line; that the complete working drawings shall be submitted to the chairman of the board so that the board may consider any additional conditions, if necessary, before same are filed with the borough superintendent of buildings; that such plans shall be filed within sixty (60) days; and that all permits shall be obtained and all work shall be completed within one year after the approval of such plans by the board";

and

WHEREAS, applicant submitted complete working drawings.

Resolved, that the plans, marked "Received May 17, 1939" be and they hereby are *approved*, as generally in compliance with the requirements of the resolution adopted by the board on September 27, 1938; that the building shall be faced with limestone, as shown on plans, except such portions where plans indicate architectural terra cotta, and that the parking and storage of motor vehicles, as permitted under the resolution, shall be omitted, except insofar as it has reference to the parking and storage of the Air Line Buses; and

WHEREAS, applicant has requested an amendment of the resolutions.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of September 27, 1938, as amended by resolution adopted May 23, 1939, by adding thereto:

"That in the event the owner desires to omit the storage of cars, as hereinbefore permitted, and to substitute the storage of buses used in connection with the airlines, in Basement A and Basement B, with a ramp from East 41st street, as indicated on revised floor plans marked 'Received September 22, 1939' and to continue the elevator and escalator from such floors to the main floor, such changes may be permitted, *on condition* that in all other respects the plans approved by the Board on May 23, 1939, shall be complied with."

181-39-BZ.

APPLICANT—Joshua Hochstein, for Frances Landa and Fannie Hochstein, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7-c of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop, machine shop and garage for more than five (5) motor vehicles.

PREMISES AFFECTED—45-37 to 45-55 50th (Fitting) street, east side, 400 ft. south of Queens boulevard (Block No. 2283, Lot No. 1), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Martin M. Rice.

For Opposition: V. Montgomery, M. Martin, D. Howe, B. McBreen, M. Klenke and Frank Kolze.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(181-39-BZ)

WHEREAS, Joshua Hochstein, for Frances Landa and Fannie Hochstein, owners, filed on February 14, 1939, an application with this Board, relative to a decision of the borough superintendent of buildings, pertaining to a variation of the building zone resolution, affecting premises 45-37 to 45-55 50th (Fitting) street, east side, 400 ft. south of Queens boulevard (Block No. 2283, Lot No. 1), Woodside, Borough of Queens; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed for lack of prosecution*.

264-39-BZ.

APPLICANT—William Shary, for 115 West 51st Street Corp. (lessee), Emigrant Industrial Savings Bank and Casey Ltd., owners.

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SUBJECT—Application (re decision of the borough superintendent of buildings under sections 7-E and 21 of the building zone resolution to permit in a business use district, the erection and maintenance of a structure to be used as a garage for more than five (5) motor vehicles and also, for the parking and storage of more than five (5) motor vehicles.
PREMISES AFFECTED — 112-118 West 52nd street, south side, 200 ft. west of Sixth avenue and 111-123 West 51st street (Block No. 1004, Lot Nos. 19 and 24), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(264-39-BZ)

WHEREAS, William Shary, for 115 West 51st Street Corp. (lessee), Emigrant Industrial Savings Bank and Casey, Ltd., owners, filed on February 28, 1939, an application with this Board, relative to a decision of the borough superintendent of buildings pertaining to a variation of the building zone resolution, affecting premises 112-118 West 52nd street, south side, 200 ft. west of Sixth avenue and 111-123 West 51st street (Block No. 1004, Lot Nos. 19 and 24), Borough of Manhattan; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed for lack of prosecution*.

APPEALS FROM ADMINISTRATIVE DECISIONS

752-39-A.

APPLICANT—Triangle Steel Products Corporation, lessee, for Max Dorf, owner.

SUBJECT—Appeal reopened July 18, 1939 re Appeal from an order of the fire commissioner (previously dismissed for lack of prosecution).

PREMISES AFFECTED—245 Russell street, northeast corner of Meserole avenue (Block No. 2628, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. M. Seer.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P. M., on request of applicant's representative.

873-39-A.

APPLICANT—Irving Adelson, for Sisters of the Poor of St. Peter's Hospital, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Adelson.

For Administration: B. Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P. M. on request of applicant.

909-39-A.

APPLICANT—William H. Warnecke, for Peter Doelger, Inc., owner (John A. Schwarz, Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Chas. Utterson.

ACTION OF BOARD—Laid over to October 3, 1939, at 2 P. M., on request of applicant's representative.

925-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property, owner.

OWNER OF PREMISES—The Salvation Army.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 21124-36.

PREMISES AFFECTED—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

APPEARANCES—

For Applicant: Donald Laramie.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P. M., on request for attorney for owner, applicant's representative concurring in request.

969-39-A.

APPLICANT—United Metal Box Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21 to 28, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. W. Smart.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P. M., for inspection by a committee of the Board.

980-39-A.

APPLICANT—J. Nelson Cooper, for Kew Gardens Storage Warehouse, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—93-30 Van Wyck boulevard, west side, 62 ft. north of 94th avenue (Block No. 522, Lot No. 14), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Thomas A. Larkin, Fire Dept.

ACTION OF BOARD—Laid over to October 3, 1939, at 2 P. M., applicant to be notified.

1021-39-A.

APPLICANT—Edward Necarsulmer, for Kayruth Holding Corporation, owner (Alexander's Department Stores, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2948-2954 Third avenue, east side, 149.32 ft. north of East 152nd street and 639-647 Bergen avenue (Block No. 2362, Lot Nos. 44-47 and 65-68, inclusive), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Administration: M. Theide, Dept. of Housing and Buildings.

ACTION OF BOARD—Laid over to October 3, 1939, at 2 P. M., applicant to be notified.

1040-39-A.

APPLICANT—Times Appliance Co., Inc., for Midtown Hospital, owner.

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SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—309 East 49th street, north side, 126 ft. east of Second avenue (Block No. 1342, Lot Nos. 6-9), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius George Jay and Clarke Redfield.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Laid over to October 3, 1939, at 2 P. M., for additional information from applicant's representative.

1049-39-A.

APPLICANT—Kooms Transportation Co., Inc., owner.

SUBJECT—Appeal from a decision of the fire commissioner relative to transportation of gasoline in tank truck (not of approved type) in New York City.

APPEARANCES—

For Applicant: Philip W. Smook and Joseph G. Grossman.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P. M., on request of Fire Department's representative.

1053-39-A.

APPLICANT—William W. Knowles, for Benjamin H. Sweet, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings under section 35, General City Law re Bed of Mapped Streets.

PREMISES AFFECTED—165-18 South road, south side, 110.63 ft. east of 165th street (Highview avenue), (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William W. Knowles and Jacob I. Goodstein.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Laid over to October 3, 1939, at 2 P. M., for further consideration by the Board.

1058-39-A.

APPLICANT—Lomis Realty Corporation, owner (First Avenue Bathing Corporation, lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—24 First avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Laid over to October 3, 1939, at 2 P. M., applicant to be notified.

1032-39-A.

APPLICANT—W. T. Grant Company (lessee), for W. W. McLellan Stores Co., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1535-1541 Third avenue, east side, 78 ft. north of East 86th street (Block No. 1532, Lot No. 4), Borough of Manhattan.

APPEARANCES—

For Applicant: P. A. Cunniens.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

1078-39-A.

APPLICANT—Charles F. Winkelman, for Thomas S. Clark, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—214-06 29th avenue, southeast corner of 214th street (Block No. 6055, Lot Nos. 25 and 29), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

1112-39-A.

APPLICANT—Strauss Stores Corporation, owner.

SUBJECT—Appeal from a decision of the fire commissioner re manufacture, storage, sale and transportation of "Admiral Anti-Freeze" (flammable mixture) in non-refillable cans in New York City.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

733-39-A.

APPLICANT—Clever Idea Co., Inc., lessee (John Apostolakis, owner).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—177-181 Concord street, northeast corner of Duffield street (Block No. 109, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Julius Brandes and John Apostolakis.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(733-39-A)

WHEREAS, Clever Idea Co., Inc., lessee (John Apostolakis, owner), filed June 3, 1939, an appeal from an order of the fire commissioner, affecting premises 177-181 Concord street, northeast corner of Duffield street (Block No. 109, Lot No. 25), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 79712-LC, dated May 4, 1939, reads:

"With reference to application dated September 29, 1938, for a permit to store and use small strips (trade name snappers) at 177 Concord street, Brooklyn, in the

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manufacture of dinner favors, please be advised that the Fire Department is without jurisdiction to issue such a permit for the reason that the manufacture of said dinner favors are classed as fireworks, a violation of C-19-39, of the Administrative Code, which reads as follows:

'Section 19-39-1 of the Administrative Code states that it shall be unlawful to manufacture within the city any of the following articles:

'Fireworks containing chlorates (except chlorate of potash and chlorate of barium) picrates, fulminates or any high explosive.'

Section C-19-41 of the Administrative Code states that it shall be unlawful to transport, store or sell fireworks unless a Certificate of Registration of the manufacturer have been issued.

The storage of fireworks in any premises occupied as a factory or in a building where dry goods (bath robes) or other highly inflammable material (10 pounds of celluloid on 3rd story) are stored is a violation of C-19-41, of the Administrative Code.

1. You are, therefore, ordered to remove forthwith all strips known as snappers from the premises and to discontinue the further storage of snappers on the premises, and to discontinue the manufacture of favors employing the use of 'snappers'."

and

WHEREAS, the building is 4 stories (50 ft.) in height, 55 ft. 11 in. by 100 ft. in area, of non-fireproof construction, equipped with a sprinkler system, erected in 1925, located in an unrestricted use district and occupied as follows: Cellar—storage of packing boxes and paper supplies, 1 person; 1st floor—manufacture of Christmas tree ornaments, 10 persons; 2nd floor—manufacture of paper hats and party favors, 35 persons; 3rd floor—manufacture of eyeglass frames, 20 persons; 4th floor—manufacture of kimonos, 20 persons; and

WHEREAS, the applicant contends that the snappers stored on the premises should not be classified as fireworks and the interpretation of the fire department is unreasonable, improper and arbitrary.

Resolved, that the order of the fire commissioner, No. 79712-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the sprinkler system shall be maintained throughout the building to the satisfaction of the fire commissioner; that the quantity of material on hand at one time shall not exceed 1,000 gross of impregnated strips; that such impregnated strips shall be kept in the cardboard packages in which they are received, inside a metal lined case, unless such case is opened, in which case the strips shall be stored in double lined metal cabinet protected with sprinkler head; that the amount of finished snapping bon bons on hand at any one time shall not exceed 100 gross; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct.

884-39-A.

APPLICANT—Sarah Brach, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Sam Shea.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Assistant Chief Walsh	2
Negative: Chairman Murdock and Commissioner Blum	2
Absent	0

THE RESOLUTION—

(884-39-A)

WHEREAS, Sarah Brach, owner, filed June 29, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 81-19 Kneeland avenue, north side, 27 ft. west of Codwise place (Block No. 2472, Lot No. 72), Elmhurst, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated June 21, 1939, reads:

"I wish to advise you that Violation No. 1361/38, issued against the above premises for violation of Section 4 of the Building Zone Resolution of the City of New York, is now pending on the records of this department against this location.

This violation was issued because motor vehicle repair shop is being conducted in a residence zone, and it is ordered that the nature of this work cease FORTHWITH."

and

WHEREAS, the building is one story (15 ft.) in height, 27.4 ft. by 58.8 ft. irregular in area, located in a residence use district, erected in 1923 and occupied as a motor vehicle repair shop; and

WHEREAS, the applicant contends that the building in question was erected as a garage in 1923, and immediately rented as a motor vehicle repair shop, at which time it was located in an unrestricted zone. In 1924 the zone was changed to residence; that the building has been continuously operated as a repair shop since its erection; and the applicant feels that due to the fact that the use in question antedates the zoning amendment, he is entitled to a Certificate of Occupancy; and

WHEREAS, the Board deemed that the building could not legally be occupied throughout as a motor vehicle repair shop without a change in the certificate of occupancy which permitted use as a garage only.

Resolved, that the decision of the borough superintendent dated June 21, 1939, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

972-39-A.

APPLICANT—Emil Koepfel, for Home Owners' Loan Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—8665 20th avenue, north side, 133 ft. west of Benson avenue (Block No. 6375, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Emil Koepfel.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(972-39-A)

WHEREAS, Emil Koepfel, for Home Owners' Loan Corporation, owner, filed July 18, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 8665 20th avenue, north side, 133 ft. west of Benson avenue (Block No. 6375, Lot No. 7), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Amend. Applic. No. 2019-39, dated July 11, 1939, reads:

"Eliminating second means of egress (fire escapes) is contrary to originally approved plan, Obj. 1 and Sect. 145 M.D.L., also Sect. 187 M.D.L. Amendment is disapproved."

and

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WHEREAS, the building is 3 stories (35 ft.) in height, 24 ft. by 56 ft. in area, of frame construction, located in a residence use district, erected about 1906, and occupied as a dwelling; and

WHEREAS, the applicant contends the violations issued by the Tenement House Dept. for a secondary means of egress, because some of the rooms were isolated from the rear stairway and access to same was possible only by passing through the bathroom. This condition is eliminated as shown on new plans; that the Division of Buildings and the Division of Housing vary in their interpretation of Art. 6, Sec. 187 of the M.D. Law as to the acceptability of the rear interior stairs as a legal secondary means of egress for the 2nd and 3d floor apartments. As there are two individual stairways in the premises, each in itself is considered a legal stairway, but considering both stairs as a primary and secondary means of egress, one is considered illegal; that the exit facilities of the building are adequate. An interpretation of the Multiple Dwelling Law is requested; and

WHEREAS, the Board deemed that a literal interpretation of the provisions of the multiple dwelling law does not permit approval of the second means of exit proposed and that neither the Board nor the borough superintendent of buildings is empowered to vary the required provisions.

Resolved, that the decision of the acting borough superintendent as to Amend. Applic. No. 2019-39 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

976-39-A.

APPLICANT—Herman Kron (Walco Petroleum Corporation, lessee), N. Y. Central Railroad Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—50 West 225th street, south side, 661 ft. east of Broadway (Block No. 2215, part of Lot No. 700), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(976-39-A)

WHEREAS, Herman Kron (Walco Petroleum Corporation, lessee), N. Y. Central Railroad Company, owner, filed on July 18, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 50 West 225th street, south side, 661 ft. east of Broadway (Block No. 2215, part of Lot No. 700), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on F. P. Applic. No. 242-39, dated July 14, 1939, reads:

"1. Pumps must be set 10 ft. inside building line, unless there is erected between the pumps and the building line a substantial masonry or half woven wire fence not less than 7 ft. in height and extending continuously from 5 ft. beyond the end of the battery of pumps at one side and 5 ft. beyond on the other end.

The above by general order of the Superintendent dated April 18, 1938."

and

WHEREAS, the premises consist of a plot 140 ft. by 400 ft. in area, upon which there exists a building 44 ft. by 24 ft., one story, 15 ft., in height; occupied as office and lubricatorium in connection with a gasoline station; and

WHEREAS, the applicant contends that the pumps in question have already been erected; that the width of the side-

walk is 20 ft.; the sidewalk is unpaved, except for about 5 ft. back from the curb line. Pumps are located 24 ft. 8 in. behind the curb line or 6 ft. 4 in. behind the building line, as shown on plans filed with this appeal; that many other gasoline stations have been erected with pumps on the building line; and

WHEREAS, in the opinion of the board, gasoline pumps should be not less than ten feet back from the street building line as a protection for pedestrians and that, while the general order of the borough superintendent of buildings is salutary for the protection of pedestrians, rules to apply generally can be adopted only by the board; and

WHEREAS, the applicant requested permission to withdraw the appeal to comply with the decision.

Resolved, that the application be and it hereby is *withdrawn*.

1019-39-A.

APPLICANT—Henry M. Entlich, for Rebecca Minkin, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—666 Lafayette avenue, north side, 120 ft. east of Marcy avenue (Block No. 1785, Lot No. 71), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry M. Entlich.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage	1
Negative: Chairman Murdock, Commissioner Blum and Assistant Chief Walsh	3
Absent	0

THE RESOLUTION—

(1019-39-A)

WHEREAS, Henry M. Entlich, for Rebecca Minkin, owner, filed on August 1, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 666 Lafayette avenue, north side, 120 ft. east of Marcy avenue (Block No. 1785, Lot No. 71), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent on Alt. Applic. 2645-39, dated July 27, 1939, reads:

"1. Change of occupancy from one family to two families in frame bldg. with living rooms on 4 floors is contrary to sect. 2.1.35, sect. 8.7.2.1, Bldg. Code. Proposition denied."

and

WHEREAS, the building is three stories and basement (37 ft.) in height, 20 ft. by 33 ft. 6 in. in area, of frame construction; erected about 1885; located in a residence use district and occupied as a one-family dwelling. It is proposed to be occupied as follows: Cellar—ordinary; basement, 1st and 3d floors—one family dwelling; 2nd floor—one family; total, two families throughout; and

WHEREAS, the applicant contends that the owner has a large family consisting of 7 children and deems it necessary to occupy three floors of the premises; it is proposed to rent out the 2nd floor in order to get additional revenue. If the board deems it necessary, the fire escape will be erected.

Resolved, that the decision of the acting borough superintendent on Alt. Applic. 2645-39, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1020-39-A.

APPLICANT—James S. Anderson, for Blanche Barclay, owner (A. Blank Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—15 Stone street, north side, 94.6 ft. west of Broad street (Block No. 11, Lot No. 27), Borough of Manhattan.

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APPEARANCES—

For Applicant: Clarence F. Mudge.
For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1020-39-A)

WHEREAS, James S. Anderson, for Blanche Barclay, owner (A. Blank Co., lessee), filed on August 2, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 15 Stone street, north side, 94.6 ft. west of Broad street (Block No. 11, Lot No. 27), Borough of Manhattan; and

WHEREAS, Order No. 2343-LF, issued by the fire commissioner September 16, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26. Adm. C."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated July 20, 1939; and

WHEREAS, the building is 5 stories (50 ft.) in height, 25 ft. by 81 ft. in area, of Class 3 construction; located in an unrestricted use district; erected prior to 1870; occupied since 1933 as follows: Cellar—storage of metal furniture—no persons; 1st floor, furniture showroom, 4 persons; 2nd floor, same, 2 persons; 3d, 4th and 5th floors, storage—no persons; and

WHEREAS, the applicant contends that the building is occupied by one tenant dealing in office furniture, the cost of complying with the order would be an undue hardship on the tenant and result in forcing it out of business. It is proposed to limit the use of the basement for the storage of metal furniture, no wood or inflammable material of any kind being stored therein. The building is accessible to the fire department on three sides, by means of a side alley 10 ft. wide opening on Stone street and a rear court 10 ft. wide extending across the rear of the building.

Resolved, that the order of the fire commissioner, No. 2343-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that no material of an inflammable nature shall at any time be stored in the cellar; that access to cellar by means of a door from side alley shall be maintained; that such fire fighting appliances shall be installed as the fire commissioner may direct; and, *granted* only so long as the premises are occupied substantially as set forth in this appeal.

1023-39-A.

APPLICANT—Otto J. Sambach, for First National Oil Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—42-12 Vernon boulevard, west side, 90.28 ft. north of 43rd avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Otto J. Sambach.
For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(1023-39-A)

WHEREAS, Otto J. Sambach for First National Oil Company, owner, filed August 1, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 42-12 Vernon boulevard, west side, 90.28 ft. north of 43rd avenue (Block No. 484, Lot No. 23), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated July 10, 1939, on Miscellaneous Application 39175-39 reads:

"1. All storage tanks comprising or forming a part of an oil storage plant shall be buried so that the top thereof shall be at least two feet below the grade level. Section C-19-50.00, subdivision (e) of the Administrative Code.

2. Where such tanks are permitted above the ground the maximum capacity of each tank may not exceed 100,000 gallons and the location of the tanks from the line of the adjoining property which may be built upon shall be in accordance with the prescribed schedule Section C-19-50.00, subdivision (e) of the Administrative Code."

and

WHEREAS, the premises consist of a plot 185 ft. front by 510 ft. in depth, upon which there exists a fuel oil and gasoline storage plant, and upon which it is proposed to erect a new three million gallon fuel oil storage tank, 70 ft. by 140 ft. in area, 32 ft. in height; and

WHEREAS, the applicant contends that the present plant has been in use since 1935; that the proposed tank fill be used for storage of No. 2, 4, 5, and 6 fuel oil; the proposed tank will be divided into 4 compartments, each of which will be protected with a foam fire-extinguisher system. The proposed tank will be 10 ft. below grade and 32 ft. above grade enclosed with 12 inch concrete reinforced and bonded to tank by means of clips welded to tank; that it is impossible to go below 10 ft. due to water and rock, which would make the installation costly. The top of the tank will be covered with 2 feet of earth fill and 1 foot of concrete; that adjoining properties are stone yards and other non-inflammable uses.

Resolved, that the decision of the borough superintendent re Misc. Application No. 39175-39, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

1027-39-A-WF.

APPLICANT—Sol Oberwager, for Flushingside Realty and Construction Co., owner (Jonco Co., Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—134-37 to 134-39 Northern boulevard, northwest corner of Prince street (Block No. 4946, Lot No. 68), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Sol Oberwager.
For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1027-39-A-WF)

WHEREAS, Sol Oberwager, for Flushingside Realty and Construction Co., owner (Jonco Co., Inc., lessee), filed on August 7, 1939, an application for permission to erect a sign exceeding 30 square feet in area within the World's

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Fair area; premises 134-37 to 134-39 Northern boulevard, northwest corner of Prince street (Block No. 4946, Lot No. 68), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, Dept. of Housing and Buildings, on Misc. Applic. 4673-39, dated July 12, 1939, reads:

"The erection of a sign more than 30 square feet in area in the World's Fair area is contrary to the resolution of the World's Fair Zone."

and

WHEREAS, the building is one story (19 ft.) in height, 80 ft. by 50 ft. in area, of nonfireproof construction; erected in 1937; located in an unrestricted use district; occupied as a store pursuant to Certificate of Occupancy No. 55837, issued June 16, 1937; and

WHEREAS, the proposed sign will be 4 ft. 6 in. by 19 ft. in length, reading "Howard Johnsons," as shown on plan filed herein; and

WHEREAS, the applicant contends that the building is occupied as a restaurant; the sign will not advertise any outside product and is essential to the conduct of the business; that the proposed sign will not be visible from the Fair grounds.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 4673-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the sign shall not exceed the area shown and that no additional signs shall be constructed in addition to the two other signs already existing and *granted* only so long as the sign is used in connection with the business of a restaurant conducted in the building on the premises.

1033-39-A.

APPLICANT—William J. Minogue, for Hearn Department Stores, Inc., owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—4-42 West 14th street, south side, 107 ft. west of Fifth avenue, 74-76 Fifth avenue and 1-41 West 13th street (Block No. 577, Lot Nos. 19-32, 33, 35, 37, 42, 47, 49, 55, 57, 59, 61 and 65), Borough of Manhattan.

APPEARANCES—

For Applicant: William J. Minogue.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1033-39-A)

WHEREAS, William J. Minogue, for Hearn Department Stores Inc., owner, filed on August 8, 1939, an appeal from an order of the fire commissioner, affecting premises 4-42 West 14th street, south side, 107 ft. west of Fifth avenue, 1-41 West 13th street and 74-76 Fifth avenue (Block No. 577, Lot Nos. 19-32, 33, 35, 37, 42, 47, 49, 55, 57, 59, 61 and 65), Borough of Manhattan; and

WHEREAS, Order No. 4419-LC, issued by the fire commissioner December 11, 1936, reads:

"1. Provide adequate window area or mechanical means for ventilating the refrigerating machinery room in accordance with the requirements of Section 220-2(d) of Chapter 10, Code of Ordinances.

2. Make refrigerating machinery room or rooms vapor tight to prevent the passage of irritant refrigerant from passing to other parts of the building, as per Section 220-1(a) of Chapter 10, Code of Ordinances.

3. Make all doors leading from refrigerating machinery room or rooms self-closing, and so close-fitting

as to prevent the passage of irritant refrigerant to other parts of the building, and keep same closed when not in use, as per Section 220-1(a) of Chapter 10, Code of Ordinances."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated July 10, 1939; and

WHEREAS, the building is 2 to 12 stories (150 ft.) in height, 375 ft. by 206 ft. 6 in., irregular, in area, of part fireproof and part non-fireproof construction; equipped with sprinkler and standpipe systems; located in an unrestricted use district; erected in 1905 and occupied throughout as a department store; and

WHEREAS, the applicant contends that the building is 100% sprinklered and is divided into areas of 30,000 sq. ft. maximum by fire walls, the openings in which are equipped with "Underwriters" doors; that the building is provided with a 24 hour watchman service; that standpipe systems with hose at each floor are provided; that in addition the building is equipped with a fire alarm system; that the refrigerating units are as follows: Those in the sales department for retail sale; those on the 3rd floor used to cool the cooling equipment in soda fountain in restaurant on this floor (which consists of 4 units containing 13 lbs. Freon); and contends that the room in which these units are located is ventilated by a fan in the front window.

Resolved, that the order of the fire commissioner, No. 4419-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the refrigerators stored in the basement shall be only such as are offered for sale and that such refrigerators shall be so located as not to be within 25 ft. of the entrance to the elevators or an exit and shall not contain more than 6 lbs. of refrigerant each; that refrigerators containing refrigerant shall be restricted to one of each size of each make; that ventilation from the outer air shall be maintained at all times, both from West 14th street and West 13th street, by means of windows or gratings in which motor driven fans shall be installed; that such refrigerating systems as are indicated in the space on the 3rd floor, as shown, for use in connection with the soda fountain and restaurant, shall each contain not more than 13 lbs. of freon; that this floor shall be ventilated by means of fans in the exterior windows, to the satisfaction of the fire commissioner; that any additional stock of refrigerators having refrigerant shall be stored elsewhere in the building within a space separated from the balance of the building by close fitting partitions and to which the public does not have access.

1034-39-A.

APPLICANT—Sweet and Shaw, for Childs Company, owner.

SUBJECT—Appeal from a decision re orders of the fire commissioner.

PREMISES AFFECTED—42 East 14th street, south side, 53 ft. east of University place, 123 University place and 39-43 East 13th street (Block No. 565, Lot Nos. 1, 2, 3 and 10), Borough of Manhattan.

APPEARANCES—

For Applicant: George E. Sweet and W. A. Le Fette.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1034-39-A)

WHEREAS, Sweet and Shaw, for Childs Company, owner, filed August 9, 1939, an appeal from a decision re orders of the fire commissioner affecting premises 42 East 14th street,

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southside 53 ft. east of University place, 123 University place and 39-43 East 13th street (Block No. 565, Lot Nos. 1, 2, 3 and 10), Borough of Manhattan; and

WHEREAS, Order No. 2044-LF issued by the fire commissioner on August 18, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26, Adm. Code."

and

WHEREAS, Order No. 2048-LF issued by the fire commissioner August 18, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply, arranged and equipped as per Article 16, Chapter 26, Adm. Code."

and

WHEREAS, said orders were referred to in a decision of the fire commissioner dated July 8, 1939; and

WHEREAS, the building in question are 2, 3, 5 and 6 stories in height, 26 ft. 6 in. by 158 ft. 6 in. in area at first floor, of non-fireproof construction with first tier consisting of steel beams and brick arches, except over the boiler room at the East 13th street front of the building; the building was erected in 1880 and is located in a business use district and occupied: Cellar, kitchen and storage, 10 persons; 1st floor, restaurant and store, 100 persons; upper floors to remain vacant; and

WHEREAS, the various cellars have been divided by fireproof partitions and fireproof self-closing doors with automatic sprinklers connected to the domestic water supply system at each side of each door and in dumbwaiter shafts (nine heads altogether), and the entire building is equipped with an automatic fire alarm system. The first floor construction of 42 East 14th street and a part of 43 East 13th street is of steel beams and brick arches. This fireproof cellar is used as the working portion of restaurant with occupancy of ten people. All other cellars or areas are separated from this working portion and are used for low pressure boiler room and for storage, with no permanent occupancy.

Resolved, that the decisions of the fire commissioner, as to Orders No. 2044-LF and 2048-LF be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler heads connected to the domestic water supply system of the building shall be maintained as proposed, one on either side of the doors of the various rooms in the cellar, and one on each dumbwaiter shaft; that an additional means of access to the cellar on East 14th street and University place shall be constructed in addition to the engineer's ladder on East 13th street; that the ventilating system in the basement shall be maintained; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that the storage rooms facing East 13th street shall remain vacant, except that non-inflammable material may be stored therein.

1045-39-A.

APPLICANT—Ferdinand Savignano, for Lilli Sclafani, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1608 78th street, south side, 50 ft. 8 in. east of 16th avenue (Block No. 6259, Lot No. 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Lieberman.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0
Absent 0

THE RESOLUTION—

(1045-39-A)

WHEREAS, Ferdinand Savignano, for Lilli Sclafani, owner, filed August 15, 1939, an appeal from a decision of the acting borough superintendent of buildings affecting premises: 1608 78th street, south side, 50 ft. 8 in. east of 16th avenue (Block No. 6259, Lot No. 9), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings on Alteration Application 523-39, dated July 24, 1939, reads:

"Two (2) means of egress are required by Sec. 188 of the Multiple Dwelling Law as pitch of gable roof exceeds 20°. Denied."

and

WHEREAS, the building is two stories and attic (24 ft.) in height, 20 ft. 6 in. by 60 ft. in area and of Class 3 construction, erected in 1922 and located in a business use district. Occupied as follows: Cellar, storage and boiler room; first floor, 1 family; 2nd floor, 1 family; proposed to be occupied: Cellar, storage and boiler room; first floor, 1 family; 2nd floor, 2 families; and

WHEREAS, the applicant contends that all apartments will have two means of egress through remotely located interior stairways, leading directly to the street or outer court. Both second floor apartments will have direct access to a scuttle by means of stationary iron ladder located in the public hallway; the scuttle opening is on a 5 ft. 4 in. flat valley between the roof of the building in question and the adjoining building. The valley runs through from front to rear; the second story sills are less than 16 ft. above grade; that it will be difficult for the owner to bear the expense necessitated by the erection of the fire escape at the front and rear of the building; that such fire escape at the front of the building would mar the building and be the only fire escape in the row of similar buildings; and

WHEREAS, in the opinion of the board, the intent of section 187 of the Multiple Dwelling Law is that not more than one means of exit is required in a converted dwelling not exceeding two stories in height, and that the provision in section 188 as to a roof exceeding a pitch of twenty degrees and the requirement for a second means of exit in lieu thereof, does not nullify the requirement for a single exit when the converted dwelling does not exceed two stories.

Resolved, that the decision of the borough superintendent on Alt. Applic. 523-39, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*.

1052-39-A.

APPLICANT—Boardwalk and Seashore Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Northwest corner of Beach 105th street and Parkway (Ocean Boardwalk); (Block No. 645, Lot No. 18), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: Harold Klorfein, Department of Parks.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

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THE RESOLUTION—

(1052-39-A)

WHEREAS, George Goldberg, Secretary of the Boardwalk and Seashore Corporation, owner, filed on August 18, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises northwest corner Beach 105th street and Parkway (Ocean Boardwalk); (Block No. 645, Lot No. 18), Rockaway Beach, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. 5276-39, dated July 27, 1939, reads:

"1. Parking of more than 5 cars in a 'Residence' use district is contrary to sec. 3 of Art. 2 of the Bldg. Zone Resolution."

and

WHEREAS, zoning violation No. 172-39 was issued June 19, 1939, for parking more than five cars in a residence use district without a certificate of occupancy; and

WHEREAS, the premises consist of a plot 75 ft. by 100 ft. in area, located in a residence use district and occupied for the outdoor parking of more than five motor vehicles; and

WHEREAS, the applicant contends that the premises have been used as a parking space for more than 5 cars for the past 15 years; that said use was legally permitted up to June 28, 1935, at which time an amendment to the zoning resolution was passed, prohibiting the subsequent use of any premises in a business district for the parking of more than 5 cars; that the premises involved was changed from business to residence use July 21, 1938; that the use as it exists is the same as prior to said use district amendment; and

WHEREAS, no one appeared when the case was called.

Resolved, that the appeal be and it hereby is dismissed for lack of prosecution.

1125-39-A.

APPLICANT—Lama and Proskauer, for Emigrant Industrial Savings Bank, owner (George Dukeles, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—8 South street, northeast corner of Moore street (Block No. 4, Lot No. 44), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1125-39-A)

WHEREAS, Lama and Proskauer, for Emigrant Industrial Savings Bank, owner (George Dukeles, lessee), filed on September 12, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 8 South street, northeast corner of Moore street (Block No. 4, Lot No. 44), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. 146-39, dated August 14, 1939, reads:

"1. Business structures of Class 5 construction must be located at least 4 feet from the nearest lot line. Sec. 4.2.1 of Building Code."

and

WHEREAS, the proposed building will be one story (9 ft.) in height, 10 ft. 6 in. by 24 ft. 0 in. in area, of Class 5 construction, on a plot 11 ft. 9 in. by 99 ft. 10 3/4 in. in area,

in an unrestricted, C area, district; to be occupied as a lunchwagon; and

WHEREAS, the applicant contends that it is proposed to erect the building one foot off the lot line; that in view of the small plot involved it is difficult to comply with Section 4.2.1 for a side lot of 4 feet. The building will be constructed of metal and will be located 1 foot from the east of the lot line adjacent to a brick building having no openings facing this site.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. No. 146-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed lunchwagon will not be erected nearer than one foot to any adjoining building, provided that the wall of the adjoining building is unpunctured for the full length of the lunchwagon and for the full height of the building; that any ventilating ducts for fumes from the lunchwagon against such wall shall be carried up from the outside within the one foot space with the approved metal ducts and goosenecked over the roof of the lunchwagon; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1131-39-A.

APPLICANT—Coley T. Brown, for William S. Gray and Co., owner.

SUBJECT—Appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of anti-freeze (flammable mixtures), known as "Graysol Anti-Freeze Methanol" and "Admiral Anti-Freeze" in non-refillable cans in New York City.

APPEARANCES—

For Applicant: Coley T. Brown.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1131-39-A)

WHEREAS, Coley T. Brown, for William S. Gray and Co., owner, filed on September 14, 1939, an appeal from a decision of the fire commissioner, relating to the packing and shipping of anti-freeze (flammable mixtures) in cans other than the type specified in Section C19-59.0 C of the Administrative Code; and

WHEREAS, the decision of the fire commissioner, dated August 31, 1939, reads:

"To advise that your application of August 24, 1939, for permission to use round top non-refillable cans for 'GRAY SOL ANTI-FREEZE METHANOL', is denied for the reason that this department disapproves all cans used for packing and shipping anti-freeze (flammable mixtures) other than the type as specified and provided for in Section C19-59.0 C of the Administrative Code of the City of New York, which reads:

'Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight fitting replaceable top, cap or other device, so made that the can shall be airtight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each.'"

and

WHEREAS, it is proposed to market "Graysol Anti-Freeze Methanol" and "Admiral Anti-Freeze" in one gallon and one quart cans of the nonrefillable type; and

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WHEREAS, the applicant contends that both "Graysol Anti-Freeze Methanol" and "Admiral Anti-Freeze" consist of 99% methanol, 1% sodium nitrate and a small amount of Methyl-Violet added for coloring; that the alcohol will not remain in cans, as the entire contents are to be used at once upon opening of the can; that these cans are for automotive purposes and are not to be used in households; in fact, all of the material is sold from gasoline service stations. The necessary fire caution notice will be placed on the cans in red letters on a white background. These materials will be produced by:

Thomas Keery Co.	Cadosia, New York
Norwich Chemical Co.	Smethport, Penn.
Tenn. Products Corp.	Nashville, Tenn.
Forest Products Chemical Co.	Memphis, Tenn.
Newberry Lumber & Chemical Co.	Newberry, Mich.

and marketed by the applicant as manufacturers' agents under the brand names "Graysol Anti-Freeze Methanol" and "Admiral Anti-Freeze".

Resolved, that the decision of the fire commissioner, dated August 31st and September 8, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted* permitting the transportation, sale, storage and manufacture of anti-freeze (flammable mixture) as described in this appeal in one gallon cans and in one quart cans without tight-fitting replaceable top, *on condition* that there shall appear on each can a prominent lithographed notice reading "UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE"; that such notice shall have white letters on fire department red background or fire department red letters on white or aluminum background; that this label shall also contain the additional words "THIS CONTAINER FOR ANTI-FREEZE APPROVED BY BOARD OF STANDARDS AND APPEALS UNDER CAL. NO. 1131-39-A"; that the application to the fire commissioner shall state the name of the manufacturer of such anti-freeze; that these products may be marketed in cans as herein permitted bearing the respective trade names or brands as follows:

"Graysol Anti-Freeze Methanol"
"Admiral Anti-Freeze"

as put up by manufacturers as follows:

Thomas Keery Co.	Cadosia, New York
Norwich Chemical Co.	Smethport, Penn.
Tennessee Products Corp.	Nashville, Tenn.
Forest Products Chemical Co.	Memphis, Tenn.
Newberry Lumber & Chemical Co.	Newberry, Mich.

709-38-A.

APPLICANT—J. R. Shays, Jr., Inc., for James G. Bishop, John T. Bishop, Cecilia A. Bishop and Marie Christiana Dorsey, as administrators of Estate of John Thomas Smith, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—100 Greenwich street, west side, 59 ft. north of Rector street (Block No. 53, Lot No. 38), Borough of Manhattan.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(709-38-A)

WHEREAS, J. R. Shays, Jr., Inc., for James G., John T. and Cecelia A. Bishop and Marie Christiana Dorsey, administrators of estate of John Thomas Smith, owners, filed August 10, 1938, an appeal from an order and a decision of the fire commissioner affecting premises 100 Greenwich street, west side, 59 ft. north of Rector street (Block No. 53, Lot No. 38), Borough of Manhattan; and

WHEREAS, order No. 13082-LC, issued by the fire commissioner June 17, 1938, reads as follows:

"Discontinue the maintenance and operation of a still film laboratory in the above mentioned premises for the following principal reasons:

1. Building is not of fireproof construction. Sec. C-19-117-0-4.
2. Building is not equipped with an approved system of automatic sprinklers. Sec. C-19-117-0-5.
3. Rooms in which inflammable motion picture film is handled, are not of fireproof construction. Sec. C-19-118-0-1."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner dated August 10, 1938; and

WHEREAS, the building is 5 stories, 75 ft. in height, 49.10 ft. by 91.2 ft. in area of non-fireproof construction, located in an unrestricted use district; erected in 1890 and occupied since 1924 as follows: Cellar—storage; 1st floor—Kodak and hardware stores, 10 persons; 2nd floor—photograph studio, 8 persons; 3rd floor—vacant; 4th floor—bookbinding, 4 persons; 5th floor—printing, 8 persons; and

WHEREAS, the applicant contends that the lessee has been engaged in the past 12 years in the business of photo-printing and blue-printing as well as photo finishing of films for amateurs; that the maximum amount of films on the premises at any one time will not exceed 6, or a total of 30 ft.; that it is necessary to handle the 35 millimeter with a nitrate base in order to hold other amateur photographic business; and

WHEREAS, this appeal was granted by the board September 13, 1938 on certain conditions and owner requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on September 13, 1938, be and it hereby is *amended*, by adding thereto:

"*Resolved*, that the order of the fire commissioner, No. 13082-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that any film on the premises shall be of the non-inflammable type and that in no event shall there be more than 30 ft. of inflammable film on the premises at any time; that in all other respects the premises and equipment shall be maintained to the satisfaction of the fire commissioner and that the requirements of the resolution of the board, adopted on September 13, 1938 shall be complied with."

665-39-A.

APPLICANT—Mayers, Murray and Phillip, for City Club Realty Co., owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—55-57 West 44th street, north side, 216 ft. 10 in. east of Sixth avenue (Block No. 1260, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Eckmann, Albert E. Crane and Hardie P. Sillip.

ACTION OF BOARD—Appeal reopened and resolution amended.

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THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(665-39-A)

WHEREAS, Mayers, Murray and Phillip, for the City Club Realty Company, owner, filed on May 19, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 55-57 West 44th street north side, 216 ft. 10 in. east of Sixth avenue (Block No. 1260, Lot No. 10), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. Application No. 1588-39 dated May 18, 1939, reads:

"1. Means of egress are inadequate. Due to change of use from residential to business. The means of egress must comply with all requirements for a new business building.

2. A fire tower complying with Art. 7 of Bldg. Code is required for buildings over 85 ft. high and having a floor area exceeding 2500 sq. ft.—6.1.2.3.

3. An interior stairway complying with Art. 7 of Bldg. Code is also required.

4. All required stairs must extend to roof. Also mark on plans all dimensions for stairs and landings and doors. Indicate all materials and thicknesses for all stairs enclosing partitions. State type of doors and windows in stair enclosures."

and

WHEREAS, the building is 7 stories and penthouse (95 ft.) in height 44 ft. 10 in. by 100 ft. 5 in. in area, of fireproof construction; equipped with a standpipe system; erected in 1902; located in a retail use district and occupied: Subcellar—boiler room; Cellar—storage and toilets; 1st floor—club; 2nd floor—club; 3rd floor—club dining room; 4th, 5th, 6th, 7th floors and penthouse—bedrooms in connection with the club use; proposed to be occupied as follows: Subcellar—same; Cellar—same; 1st floor restaurant; 2nd floor—club; 3rd floor—club dining room; 4th, 5th, 6th, 7th floors—offices, 60 persons per floor; penthouse—offices, 30 persons; and

WHEREAS, the applicant contends that due to economic changes, it is proposed to maintain the 2nd and 3rd floors as the club and to alter the 1st and upper floors to business use; that the building has a net area of 3200 sq. ft. and the penthouse is 1290 sq. ft.; that all floors are served by two stairs; that it is proposed to replace the front stairway with new stairs, and that both stairways will lead directly to the street by means of independent fireproof passages; that the use of the upper floors for office purposes is not an increase in fire hazard over the present use; that the present height of the main building is 85 ft., which is within the limit of the old code for standpipe requirements; that it is requested that the present rear stair be permitted to remain, as reconstruction of this stair would involve undue hardship, as is evident from the plan filed; that there is no proposed increase in height; that the required fire-tower would encroach on the clubrooms on the 2nd floor and ruin the design of the club dining room on the 3rd floor; and

WHEREAS, this appeal was granted by the board May 31, 1939, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on May 31, 1939, be and it hereby is *amended*, so that as amended it will read:

"*Resolved*, that the decision of the borough superintendent on Alt. Application No. 1588-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Objection No. 2, permitting the omission of the fire tower, *on condition* that the building

shall not be further increased in height and shall not exceed 85 ft. in height to the main roof of the penthouse and provided there shall be two stairways complete from the main roof to the street, as shown on plans filed with this appeal, provided such stairways are enclosed for their length in fireproof partitions complying with the requirements of the building code, except where there is an existing fireproof enclosure, such enclosure may be permitted if not less than 4 in. terra cotta block; that the width of the stairs shall comply with the requirements of the code, except that in connection with the rear existing stair, treads shall at no point be less than 2 ft. 10 in. in width; that at least one of the existing fire escapes with an exit to the rear yard of adjoining premises shall be maintained; that in all other respects the stairs shall comply with the requirements therefor and except that the one stairs need not be extended to the roof bulkhead in the penthouse story, provided a second stair exists to the main roof at the 8th floor level; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Resolved further, that in the event the owners desire to occupy the 7th floor for club purposes, such use may be permitted on condition that the requirements of this resolution shall be complied with in all other respects."

VARIATION OF LABOR LAW

1038-39-S.

APPLICANT—Samuel Rosenblum, for Central Hanover Bank and Trust Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—15 East 56th street, north side, 225 ft. east of Fifth avenue (Block No. 1292, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 3, 1939, at 2 P. M.

APPLIANCE SUBMITTED FOR APPROVAL

926-39-SA.

APPLICANT—American Humidaire Corporation, owner.

SUBJECT—Humidaire Gas-Fired Humidifier—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(926-39-SA)

WHEREAS, American Humidaire Corporation, owner, filed July 10, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Humidaire Gas-Fired Humidifier; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 926-39-SA

Subject: Approval of Humidaire Gas Fired Humidifier

The American Humidaire Corporation, filed July 10,

MINUTES

1939, an application with the Board of Standards and Appeals for approval of the Humidaire Gas-Fired Humidifier under the provisions of Sec. C26-191.0 (2.2.3) and Sec. C26-690.0 (11.1.1) Administrative Building Code.

The appliance consists of a nickel cast iron evaporator chamber and flue with 3" flue outlet with a Friez Humidstat control to keep humidity at point desired, a water valve thermostatically controlled by a thermostatic bulk in the bottom of the evaporator casting connected by a capillary tube to a Fulton Syphon bellows in the valve housing. The bellows expands opening the water valve when the temperature of the bulb in the evaporator casting reaches 235° F. When water touches the bulb the temperature drops to 212° F. and the water valve is closed. The operation is repeated when the water in the evaporator is evaporated.

The evaporator casting is designed in one piece so that there can be no leakage of water or gas. A metal partition is provided above the burner mounting to prevent air flow past the burner. Air is circulated between the casting and the metal casting through a one inch space separating them so that a low temperature is maintained at the casing. The appliance is flue connected.

The burner used is a Welsbach luminous flame burner with a safety pilot control designed to shut off the gas if the pilot light is extinguished. The burner has been approved by the American Gas Association.

This appliance was inspected and tested at the laboratories of the Consolidated Edison Co. at 111th Street and First Avenue, September 13, 1939. Test was made of the rise in temperature with the appliance receiving no water and the air temperature were found to be maintained below 200° F. There was a rise of temperature in the flue but no hazardous conditions were found.

It is recommended that the Humidaire Gas-fired Humidifier be approved for voluntary installation when flue connected and installed in accordance with the requirements of the Administrative Code on condition that the appliance bear a label reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Voluntary Use in New York City
UNDER CAL. No. 926-39-SA

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as Humidaire Gas Fired Humidifier for voluntary installation, *on condition* that the appliance be manufactured, installed, operated and labelled in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL

802-39-SM.

APPLICANT—Giant Portland Cement Company, owner.

SUBJECT—Giant Portland Cement—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(802-39-SM)

WHEREAS, Giant Portland Cement Company, owner, filed June 16, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Giant Portland Cement; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 802-39-SM

Giant Portland Cement—approval.

September 25, 1939.

On June 16, 1939, Giant Portland Cement Company filed an application for approval of Giant Portland Cement as manufactured by the applicant at Egypt, Pa. for use in New York City pursuant to Section C26-312.0 C-1 (7.1.1.7.3) Administrative Building Code.

This material was tested by a representative of the committee on tests at the applicant's laboratory at Egypt, Pa. and at the Laboratory of the United States Department of Commerce, Bureau of Standards at Allentown, Pa. with the following results:

<i>As Tested</i>	<i>Federal Spec.</i> SS-C-191-A	<i>A.S.T.M.</i> <i>Spec.</i>
Fineness (200 mesh) 95.1%	—	—
Fineness (325 mesh) 85.1%	—	—
Surface area 1609 sq. cm. gm.	1500	—
Soundness O.K.	Sound	Sound
Initial Set (Gilmore) 3 hrs. 45 min.	Not less than 60 min.	Not less than 45 min.
Final Set (Gilmore) 6 hrs. 10 min.	Not more than 10 hrs.	Not more than 10 hrs.
Normal consistency 24.0%	—	—
Expansion Autoclave .111%	—	—
Compressive Strength: (Average of 6 specimens lbs. sq. in.)		
Age 3 days 1702	900	—
Age 7 days 2914	1800	—
(Average of 5 Specimens) Age 28 days 4785	3000	—
Tensile Strength: (Average of 6 specimens lbs. sq. in.)		
Age 3 days 327	175	—
Age 7 days 396	275	275
Age 28 days 440	350	350

MINUTES

CHEMICAL ANALYSIS

	As Analyzed	Not More than	Not More than
SiO ₂	20.30	—	—
Fe ₂ O ₃	3.29	6.00	—
Al ₂ O ₃	7.11	7.50	—
CaO	63.32	—	—
MgO	2.59	5.00	5.00
SO ₃	1.69	2.00	2.00
Loss	.90	3.00	4.00
Insol.	.23%	0.75	0.85
SiO ₂ R	1.98	—	—
CaOR	2.06	—	—
<i>Component Parts</i>			
C ₃ S	46.0		
C ₂ S	23.3		
C ₃ A	13.3		
C ₄ AF	10.0		
Free Lime	.62%		

The record of the supply of raw materials indicates that consistently homogeneous raw materials are available for 100 years at the present rate of manufacture. Flow sheets and complete description of manufacturing processes have been filed.

All tests were conducted in accordance with Federal Specifications SS-C-191-A, pursuant to methods prescribed in Federal Specification SS-C-158.

This material is shipped in cloth and paper bags and in bulk and as a result of these tests it is accordingly recommended that Giant Portland Cement, as manufactured by the Giant Portland Cement Company at Egypt, Pa. be approved for use in New York City pursuant to Sections C26-312.0 C-1 (7.1.1.7.3) of the Administrative Building Code, on condition that notarized monthly reports of mill tests, signed by the applicant's chief chemist be filed with the Board and that all bags be stamped, labeled or marked "Approved for use in New York City by the Board of Standards and Appeals under Cal. 802-39-SM," and that when shipped in bulk, its bill of lading be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Giant Portland Cement, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

938-39-SM.

APPLICANT—MacAndrews and Forbes Company, owner.
SUBJECT—Lockaire (board form rigid building insulation)—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(938-39-SM)

WHEREAS, The MacAndrews and Forbes Company, owner, filed July 12, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Lockaire Insulation Fibre Board; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 938-39-SM

Subject: Lockaire Insulation Fibre Board

The MacAndrews and Forbes Company of Camden, N. J., filed July 12, 1939, an application with the Board of Standards and Appeals for the approval of Lockaire Insulation Fibre Board for use under the requirements of the Fibre Insulation Board Rules of the Board of Standards and Appeals.

Lockaire Fibre Insulation Board is manufactured at Camden, N. J. from fully spent licorice root to which ground wood fibres and rosin are added for sizing and waterproofing. It is claimed that the use of licorice roots result in a tough, rigid material with good properties for resisting dry rot, oxidation, vermin and fungus.

This material is manufactured for uses and in sizes as follows:

Uses

Building Board	Square	4'	6'-12'	1/4"-1/2"
Sheathing	Square and Tongue and Groove	2'-4'	8'-12'	25/32"
Plaster base	Short edges, square long edges, tongue grooved	1 1/2'	4'	1/2"
Roof insulation	Square	2'	4'	1/2"-2"
Ceiling Tile	Beveled on surface edges, tongue and groove, Ship lapped	1'-2'	1'-4'	1/2"

Lockaire Fibre Insulation Board is identified by its extreme toughness, light brown color and specks of brown bark and varies with uses only as to the thickness of the material. This material is slightly heavier than insulation board of other makes. The plaster base has a treatment of zinc sulphate to accelerate plaster setting and avoid warping and cracking of plaster.

Tests on these materials were made at Armour Institute of Technology under the direction of Professor J. C. Peebles for conformance with the requirements of Rule No. 1 of the Rules for Insulating Fibre Board of the Board of Standards and Appeals with results as follows:

Test of Building Board & Roof Insulation 1/2" x 4' x 8'

	Test Results	Spec. Requirements
Thermal conductivity B.t.u. per hour per sq. ft., per degree F.	.335	.36
Transverse strength # lengthwise	28 to 29	14
Transverse strength # crosswise	26 to 28	12
Minimum deflection at ultimate load	.96	.25
Maximum deflection at ultimate load	1.07	.85 - 1.25
Tensile strength, pounds per sq. in.	236.0 to 244.0	175
Water absorption—per cent..	4.63	5
Linear expansion—per cent..	.20 to .25	.5
Nail-holding strength—Pounds	100 to 108	100

MINUTES

Test of Sheathing Board 25/32" x 4' x 8'

The same results as the preceding table but including a racking test performed at Columbia University Report #47431 wherein comparative results between a 7/16" x 4' x 8' fibre insulation board and 7/8" T and G Pine Sheathing laid diagonally at 45° to studs, and when laid horizontally show that a lateral load of 725# displaced the wood sheathing 1", failure occurring in the horizontally laid specimen at 3960# when the lateral deflection was 13.6" and with the sheathing at 45° failure occurred at 6900#, lateral deflection 4.03".

Whereas, in the fibre insulating board specimens the results were as follows:

1. Full length insulating board without intermediate joint, tested dry failure occurred at 4350#, lateral deflection 1.39".
2. Same as preceding except that the specimen was tested after wetting one side for one hour with failure occurring at 3800#, lateral deflection .82".
3. Fibre insulation board nailed so as to provide a vertical and horizontal joint, tested dry with failure occurring at a load of 4300#, lateral deflection 1.22".

Test of Plaster Base

The same results as for building board except that the bond strength samples tested at Armour Institute of Technology report dated August 13, 1937, filed herewith report 872 to 960# per square foot of bonded surface against the rule requirement of 700.

Lockaire fibre insulation board was previously manufactured by the applicant under the trade name of Maftex. Under this name, the material was approved by the five building superintendents in 1929; copies of such approvals are filed with the application.

On the basis of the foregoing data and test results, the Committee recommends the approval of Lockaire Insulating Fibre Board in sizes as listed herein as manu-

factured by the MacAndrews and Forbes Company, Camden, N. J., and marketed by the Plastergon Wall Board Co. of Buffalo, N. Y., for use under the requirements of Rule 2, of the Fibre Insulation Board Rules of the Board of Standards and Appeals, when installed in accordance with the requirements thereof and such additional requirements as the manufacturer may recommend. When used as a sheathing material the wood frame shall be braced in all angles. It is further recommended that each package or carton be marked, labelled or tagged as follows: "Approved for use in New York City by the Board of Standards and Appeals under Cal. #938-39-SM" when used and installed in accordance with the requirements of the Insulating Fibre Board Rules of the Board of Standards and Appeals, each package and carton to be labelled with the respective uses of the fibre board contained therein.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of the material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Lockaire Insulation Fibre Board, *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

Adjourned, 5:00 P. M.

EDWARD V. BARTON, *Chief Clerk*.

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Name	Calendar No.
Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Croker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Name	Calendar No.
New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

APPROVED FUEL OIL FILL PIPE TERMINALS

Name	Calendar No.
Alro	720-38-SA
Fee and Mason	10-36-SA
Flagg	345-35-SA
J. H. N.	292-35-SA
Moore and Kling, 6 inch Type D.....	184-38-SA
Newbury	223-35-SA

Name	Calendar No.
Preferred	213-35-SA
Rhode Island	204-35-SA
Seal-O-Strain	48-35-SA
Sealtite	231-35-SA
Simplex	214-35-SA
Weco	78-38-SA

PUBLIC HEARING

PROPOSED RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES.

(1139-39-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, October 20, 1939, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for Inspection of Approved Opening Protective Assemblies.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Code (2.2.1.1) and C26-610.0 Administrative Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Building Code, it shall be tested as required in Section 10.1.18 and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved fire doors of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such doors are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Superintendent of Buildings, or by a recog-

nized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved door or window and the manufacturer and the number of such units to be manufactured.

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals. Where a door is of fire-proofed wood, such wood shall be submitted to tests for fireproof wood, as prescribed in the Code. Sect. 7.2.3.1 to 7.2.3.9 inclusive.

Rule 3—Labels.

3.1 Every approved Fire Door or Window before installation in a building under the provisions of the Building Code shall have securely attached to the door, a metal label of a design approved by the Board, giving the name of the door or window, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to an approved Fire Door, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the door or window a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each door or window manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of the same type and material as tested with approved Opening Protective Assembly.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939.
EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE
NEW YORK CITY CHARTER, FEBRUARY 27, 1939.

(835-38-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraphs 2 and 3, of the New York City Charter and C26-1268.0c 4 (14.7.1.3 BC) and C26-1277.0h (14.8.2.8 BC), of the Administrative Code.

Rule 1. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly from the City Water Supply System (and not supplied from separate riser and tank), shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the overflow level of the fixture, to prevent siphonage or backflow of contaminated water into the house water distribution piping and checked by the inspector.

Rule 2. Ballcocks.

Flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than one-half inch above the overflow outlet of the flush tank.

Rule 3. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the overflow level of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture.

Rule 4. Sterilizers.

Direct water supply piping connections to sterilizers are prohibited. The waste piping for sterilizers shall not connect directly with any drainage system; such waste piping shall discharge above an open, water supplied, trapped and vented fixture.

Rule 5. Aspirators—Water Siphons.

Water supply connections to aspirators, water siphons or similar apparatus shall be equipped with an

approved vacuum breaker and check valve, the check valve to be located between the fixture and vacuum breaker. The waste pipe for this type of apparatus shall not connect directly with any drainage system but shall discharge above an open, water supplied, trapped and vented fixture.

Rule 6. Bidets—Bed Pan Washers.

Water supply connection to bidets, bed pan washers, or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker.

Rule 7. Roof or Suction Tanks.

Water supply inlets to roof or suction tanks shall be located at least two inches above the overflow level of the tank.

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes to sump, well, or similar type pumps shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant agency from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation.

APPROVED VACUUM BREAKERS

Name	Calendar No.	Name	Calendar No.
Beal Vacuum Breaker	685-39-SM	Murray and Sorenson Flush Valve Vacuum Breaker	494-39-SM
Bidoro Vacuum Breaker, Type D, sizes 1", 1 1/4", 1 1/2", 2", 2 1/2", 3", 3 1/2" and 4"	270-28-SA	Nibco Ace Type Back-Siphon Ball Cock.....	416-39-SM
Cadwell Syphon Breaker, Model 125.....	165-39-SA	Novac Flush Valve Vacuum Breaker.....	174-38-SA
Cadwell Syphon Breaker and Agitator, No. 115	370-39-SA	Noverflo Flushometer Valve.....	1038-38-SA
Coldwater Brass Co. Anti-Back Syphonage Ballcock C.B.C., No. 136.....	439-39-SA	Penberthy Vacuum Breaker.....	1200-38-SA
Crane Company Vacuum Breakers for Supply Fixtures, C-7830, sizes, 3/8", 1/2", 3/4", 1", 1 1/4", 1 1/2", 2" and 3"	750-38-SA	Scovill M. V. B. No. 22 Ballcock.....	942-38-SA
Crane Company Vigilant Vacuum Breaker....	345-38-SA	Scovill "S" Vacuum Breaker Ballcock.....	109-39-SA
Delany Vacuum Breaker, Model DV-88.....	842-38-SA	Scovill Vacuum Breaker Ballcock, No. 18....	515-39-SM
Delany Vacuum Breaker, Model DV-90.....	379-39-SA	Sloan Vacuum Breaker, Model V-60-A.....	167-38-SA
Hedges and Brother Pilot Vacuum Valve.....	186-39-SA	Standard Sanitary Tank-Vacuum Breaker....	208-39-SA
Kohler K-9251 Float Valve and Vacuum Breaker	492-39-SM	Vac-O-Vent, Model B	477-39-SM
		Watrous Flush Valve and Vacuum Breaker, Models Imperial, Majestic and Jewel.....	351-38-SA
		Watts-Vacuum Breaker, No. 88.....	346-39-SA

RULES

RULES ON USES OF INSULATING FIBRE BOARD.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 5, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 29, 1939.

[170-39-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C-26-189.0 Administrative Code (2.2.1.1), C-26-462.0 of the Administrative Code (8.4.10.6), C-26-458.0, sub. g, Administrative Code (8.4.10.2), C-26-538.0, sub. b, Administrative Code (8.7.2.3), C-26-541.0, sub. a, Administrative Code (8.7.2.6.1), C-26-667.0, paragraphs 4 and 8, Administrative Code (10.9.2.4), sub. c, and (10.9.2.4), Building Code, C-26-680, sub. 21, Administrative Code (10.12.11.1), C-26-541.0, Administrative Code (8.7.2.6.1), C-26-619.0, Administrative Code (10.3.1), and C-26-721.0, Administrative Code (12.2).

NOTE: Where reference in parentheses appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Rule 1. Classes of Fibre Board.

- (1) Wood Fibre
- (2) Exploded Wood Fibre
- (3) Balsam and Wood Fibre
- (4) Western Wood Fibre
- (5) Cane Fibre (Bagasse)
- (6) Pulp from waste papers
- (7) Straw Fibre
- (8) Ground Wood Pulp Fibre
- (9) Corn Fibre

1.1. STRUCTURE OF FIBRE BOARD. Fibre boards shall be manufactured from wood or other vegetable fibre by a felting or molding process and provided with sizing to render water-resistant, and shall be subjected to a sufficient drying temperature so as to completely destroy rot-producing fungi. No starch ingredient shall be included unless made toxic to household vermin.

1.2. The structure of the board may be either single or multiple ply, and if latter, the plies shall be joined under pressure by a moisture resisting cement. Surfaces shall be finished smooth and free of coarse fibres.

1.3. For a plaster base, wall board, roof boards, sheathing, siding, roof insulation, floor insulation, acoustical, interior finish, the fibre board shall be homogeneous, free from cracks, lumps, unevenness and other defects.

TABLE 1

	Building Board (Note 5)	Plaster Base (Note 6)	Miscellaneous uses (Note 7)
Maximum thermal conductivity B.T.U. per hour per square foot per degree F. per inch thickness (note 1).....	0.36	0.36	0.36
Minimum transverse strength, lengthwise (note 2).....	14	14	7
Pounds Crosswise (note 2).....	12	12	7
Minimum deflection at ultimate load, inches.....	0.25	0.25	0.25
Maximum deflection at ultimate load, inches (note 3).....	.85	.85	1.25
Minimum tensile strength, pounds per square inch (note 4).....	175	175	100
Water absorption per cent.....	5	5	10

Maximum linear expansion, per cent	1/2	1/2	—
Nail holding strength #.....	100	70	60
Bond strength per square foot of bonded surface.....	—	700	—

NOTE 1. No board of any class having a conductance greater than 0.50 b.t.u. per hour, per square foot per degree F. irrespective of thickness will be acceptable under these rules.

NOTE 2. This requirement is based upon specimens 1/2 inch thick. For specimens of other thicknesses the requirement shall be increased in direct proportion, that is, for a thickness of 1-inch, it shall be doubled, etc.

NOTE 3. Minimum deflection at rupture shall be not less than .25".

NOTE 4. Tensile strength requirements shall be applicable only on thicknesses up to and including 1-inch.

NOTE 5. Edges shall be square for building board.

NOTE 6. Edges shall be either ship lapped bevel and ship lapped, tongue and grooved, bevel and tongue and grooved, "V" jointed, or ship lapped and grooved. Each board shall be of a rough fibrous texture to insure good mechanical and suction bond.

NOTE 7. Edges shall be square unless ship lapped or offset.

Rule 2. Uses and Methods of Applying Fibre Board.

2.1 Fibre board may be used as a plaster base or wall board in non-fireproof commercial structures not more than 2 stories in height and in one and two family dwellings not exceeding three stories in height and in Class 3 multiple dwellings for partitions and ceilings where either no fire resistive rating is required or where a fire resistive rating not exceeding 1/2 hour is permitted and installed in accordance with the requirements of C-26-458, Administrative Code (8.4.10.2) and C-26-462.0, Administrative Code (8.4.10.6).

The joints on walls and ceilings shall be broken at least one stud apart, and in no event shall joints of fibre board lath be in vertical line, excepting in the corners of a room. The joints shall be broken at every other board on the walls and at right angles to the furring on ceiling. C-26-462.0, Administrative Code (8.4.10.6). They shall be solidly nailed at every bearing not more than 6" center to center for walls and 4" center to center for ceilings and nailed to all studding with 1 1/8" No. 13 gauge blued or galvanized plaster board nails, with 3/8" heads for 1/2" board and 1 1/4" nails with 3/8" heads for 3/4" or 1" board, and with proportionately longer nails for thicker fibre board. All corners shall be reinforced with standard metal corner beads. All re-entrant angles shall be reinforced with standard metal angle lath strip. Reinforcement shall be securely stapled on the lath. At the juncture of frame and masonry construction, 6" strip of expanded metal lath shall be used. No board shall be run through from room to room.

2.1.1 It shall be unlawful to wet fibre board before plastering. C-26-462.0, Administrative Code (8.4.10.6).

2.1.2.1. "SCRATCH OR FIRST COAT."

The scratch coat shall contain not more than 2/3 by weight of sand and 1/3 calcined gypsum plaster with fibres or including other materials and fibring so that the setting time shall not be greater than four hours nor less than 1 1/2 hours and with a tensile strength of not less than 75 pounds per sq. in. The scratch coat shall be not less than 1/4" thick.

2.1.2.2. "BROWN OR SECOND COAT."

The brown coat shall contain not more than 3/4 by weight of sand and the remaining 1/4

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shall not contain less than $\frac{3}{5}$ of calcined gypsum and not more than $\frac{2}{5}$ of other materials, including fibring. The setting time shall be not more than five hours nor less than two. This brown coat shall have a tensile strength of not less than 50 pounds per sq. in. and shall be not less than $\frac{3}{16}$ " in thickness.

2.1.2.3 "FINISH COAT."

The finish coat shall be applied after the application of the second or brown coat has become dry, and shall be set in not less than 20 minutes nor more than four hours and shall have a tensile strength of not less than 200 pounds per sq. in. and be not less than $\frac{1}{16}$ " thick.

2.1.2.4 "GROUNDS."

Suitable grounds shall be established with each thickness of fibre board so as to insure a minimum thickness of $\frac{1}{2}$ " of plaster. Fibre board shall extend from floor to ceiling with grounds secured to the framing members through the fibre board.

2.2 FIBRE BOARD SHEATHING.

Approved fibre board sheathing at least one-half of an inch in thickness and four feet in width may be used instead of wood sheathing when bearing on 4 studs and fastened to each bearing with $1\frac{1}{2}$ " wire nails, 6" or less c-c, with $\frac{3}{8}$ " head, and for $\frac{3}{4}$ " or 1" board, the nails shall be 2" long. C-26-538.0, sub. b (8.7.2.3). The use of fibre board as roof sheathing is not permitted except as insulation over suitable sheathing material.

2.3 MINOR FRAME STRUCTURE.

Approved fibre board siding may be used on wood frame sheds erected where permitted and where open on at least one side, provided such sheds are fifteen feet or less in height and do not exceed 2500 square feet in area and are at least 4 feet from any lot line and are covered on sides and roof with approved fire-retarding material. C26-541.0 (8.7.2.6.1.).

2.4 USE OF FIBRE BOARD WHEN COVERED BY AN INCOMBUSTIBLE WEARING SURFACE.

Untreated combustible insulation board of a single layer or thickness not to exceed $\frac{1}{2}$ " when cemented or attached directly to the surface of an approved type of fire-resistive floor construction may be used elsewhere than in stair enclosure and corridors when covered by an incombustible wearing surface, in accordance with these rules. C26-667.0, sub. 4c (10.9.2.4).

2.5 ROOF AND FLOOR INSTALLATION IN CLASS 1 AND CLASS 2 STRUCTURES.

Fibre board used as insulation may be applied directly to the fire-resistive floor or roof construction in cement, provided such insulation is covered by at least one and one-half inch thickness of Portland Cement concrete or other equally fire-resistive material of equal thickness. C26-619.0, sub. a, Administrative Code (10.3.1). Insulation fibre board so applied shall be over a screeded concrete roof or floor, graded where necessary, and cemented to the arch with hot asphalt or coal tar pitch. Fibre insulation board shall not be left exposed to the elements, nor shall it be applied to wet surfaces of any kind.

2.6 ROOF INSULATION OTHER THAN IN CLASS 1 AND CLASS 2 STRUCTURES.

The use of fibre board as roof insulation is lawful, provided such fibre board is covered with an approved type of fire-resistive roof covering applied directly thereto, C26-680, sub. 2, Administrative Code (10.12.11.1), and when installed in accordance with the requirements of 2.2 of these rules.

2.7 USE OF FIBRE BOARD IN FIRE WALLS. (Formerly Rule 2.8)

Fibre board may be used as insulation in fire walls C26-632.0 sub. g AC (10.4.1.2) if cemented and attached directly to the face of the wall laid up with no intervening air spaces and protected with not less than 2 in. of secured masonry laid tight against the fibre board.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in con-
nection with which court proceedings are pending or in
progress, unless exception is granted by the chairman, nor
accepted which is not filed within thirty days from the date
of the action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the
rules of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his
appeal or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commis-
sioner of buildings or fire commissioner) and file with this
board a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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DOCKET

New Cases Filed up to October 3, 1939

Cal. No. Department Premises Affected

1184-39-A.....H.B.B.....1 Jackson court, east side, 70 ft. north of 101st street (Block No. 6138, part of Lot No. 35), Borough of Brooklyn, N.B. 2179-39.

1185-39-A.....H.B.M.....Entire block, bounded by Gouverneur, Madison, Jackson and Water streets (Buildings Nos. 1 to 18, inclusive); (Block No. 260, Lot No. 1), Borough of Manhattan, N.B. 128-39.

1186-39-A.....H.B.M.....345M to 367M Madison street, north side, 95.79 ft. east of Scammel street through to Henry street (Buildings Nos. 19 and 20); (Block No. 267, Lot No. 24), Borough of Manhattan, N.B. 129-39.

1187-39-A.....H.B.M.....14J to 22J Jackson street, northeast corner of Monroe street and south side of Madison street (Buildings Nos. 22 and 24); (Block No. 265, Lot Nos. 1 and 2), Borough of Manhattan, N.B. 130-39 and 130A-39.

1188-39-A.....H.B.M.....28J to 44J Jackson street, northeast corner of Cherry street and south side of Monroe street (Buildings Nos. 21 and 23); (Block No. 264, Lot Nos. 40-45), Borough of Manhattan, N.B. 131-39 and 131A-39.

1189-39-BZ.....H.B.Q.....136-05 32nd avenue and 31-51 Linden place, northeast corner (Block No. 4409, Lot No. 1), Flushing, Borough of Queens, N.B. 7337-39.

1190-39-SM.....North American Dark Cement, manufactured by North American Cement Corporation, Material.

1191-39-SM.....Linabestos Sheathing for Cooling Tower, manufactured by Keasbey and Mattison Company, Material.

1192-39-A.....F.D.....50-52 North Henry street, east side, 129 ft. north of Meeker avenue (Block No. 2828, Lot No. 1), Borough of Brooklyn, 79899-L.C. and Decision.

1193-39-A.....H.B.M.....1 to 19 Seventh avenue, inclusive, east side, from West 11th street to West 12th street, 143 to 157, inclusive, West 11th street and 148 to 178, inclusive, West 12th street (Block No. 607, Lot Nos. 1, 67 and 68), Borough of Manhattan, Decision.

1194-39-BZ.....H.B.Bx.....North side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx, N.B. 615-39.

1195-39-A.....H.B.M.....625-629 West 130th street, north side, 325 ft. east of 12th avenue (Block No. 1997, Lot No. 14), Borough of Manhattan, Alt. 2941-39.

1196-39-A.....H.B.B.....322-328 Dean street, south side, 175 ft. east of Third avenue (Block No. 198, Lot Nos. 15, 17 and 18), Borough of Brooklyn, Alt. 2942-39.

1197-39-A.....H.B.R.....175 Lake avenue, east side, 150 ft. north of Walker street (Block No. 1161, Lot Nos. 9 and 11 and part of Lot No. 34), Mariners Harbor, Borough of Richmond, Alt. 298-39.

1198-39-A.....F.D.....384-386 Broadway, east side, 31 ft. north of White street (Block No. 195, Lot No. 2), Borough of Manhattan, 4743-L.F. and Decision.

1199-39-BZ.....H.B.B.....385 Douglass street, north side, 290 ft. west of Fifth avenue (Block No. 943, Lot Nos. 59 and 60), Borough of Brooklyn, Alt. 590-39.

1200-39-SA.....Conco Oil Burner, Appliance.

1201-39-A.....F.D.....771-773 First avenue, west side, 100.5 ft. north of East 43rd street (Block No. 1336, Lot No. 27), Borough of Manhattan, 18783-L.C.

1202-39-A.....H.B.R.....349 Stanley avenue, north side, 91.08 ft. east of Brighton avenue (Block No. 124, Lot No. 30), New Brighton, Borough of Richmond, Alt. 232-39.

1203-39-BZ.....H.B.Q.....69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane (Block No. 2797, Lot No. 1 and Block No. 2796, Lot No. 13), Maspeth, Borough of Queens, N.B. 4754-39.

1204-39-BZ.....H.B.Bx.....4221 Webster avenue, west side, 294.03 ft. north of East 233rd street, thru to 4225 Peters place (Block No. 3395, Lot Nos. 60 and 97), Borough of The Bronx, N.B. 766-39.

1205-39-SA.....Bake-O-Heat Oil Burner, Appliance.

1206-39-BZ.....H.B.Q.....91-17 to 91-27 138th place, northeast corner of Archer avenue (Block No. 9981, Lot Nos. 26

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1209-39-SA.....Evanoil Heater, Circulating Type, Models F30, F40, F50, F70, SD30, SD40, SD50, SD70, E-7, E-8, E-10, E-88, SF-7, SF-8, DF-10 and DF-88, Appliance.

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476-38-A.....H.B.B.....1750 East 53rd street, west side, 340 ft. south of Avenue "O" (Block No. 8492, Lot No. 57), Borough of Brooklyn, Alt. 3417-39.

489-38-BZ....H.B.Q.....219-01 North Conduit boulevard and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens, N.B. 3290-36.

1013-38-BZ....H.B.M.....1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21 to 25, inclusive), Borough of Manhattan, Decision re Certificate of Occupancy.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

COURT DECISION

Billeci vs. Murdock—On May 9, 1939, board denied, under sections 7-h and 21, application for temporary parking of more than five motor vehicles, in a business district, under Calendar No. 614-37-BZ, at premises 415 Sixth avenue, s.w. cor. of Greenwich avenue, Borough of Manhattan. Mr. Justice Schmuck sustained board (N.Y.L.J., Oct. 6, 1939), holding the board had wide discretion under section 7-h, and further that "Since, therefore, it is not deducible that the difficulty or hardship encountered by petitioner is beyond that endured by other owners in the area and that the board was unreasonable and exceeded its discretionary powers, the motion (to dismiss certiorari) must be granted."

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OCTOBER 10, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 10, 1939, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:*

CAL. NO. 742-39-BZ—Application, June 5, 1939, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of F. D. Koehler Co., Inc., owner, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline service station; premises 1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

CAL. NO. 355-39-BZ—Application, March 21, 1939, under section 21 of the building zone resolution, of Carl F. Grieshaber, applicant, on behalf of Jeanette E. Thompson and Estate of A. G. Thompson, owners, to permit in a residence use district, the

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maintenance of garages for the storage of more than three (3) motor vehicles; premises South side of St. Johns avenue, 125 ft. west of Bay street (Block No. 2860, Lot Nos. 20 and 39), Rosebank, Borough of Richmond.

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 751-39-BZ—Application, June 7, 1939, under sections 7c and 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station; premises 921 Hunts Point avenue, south side, from Southern boulevard to Whitlock avenue, 948 Southern boulevard and 987 Whitlock avenue (Block No. 2735, Lot No. 30), Borough of The Bronx.

CAL. NO. 1047-39-BZ—Application, August 17, 1939, under section 21 of the building zone resolution, of Theodore F. Price, applicant, on behalf of Preder Realty Corporation, owner, to permit in a residence use district, the erection and maintenance of a garage for more than three (3) cars in a multiple dwelling for the use of the tenants thereof; premises Southeast corner of Oxford avenue and West 236th street (Block No. 3409-F, Lot No. 430 and part of Lot No. 433), Borough of The Bronx.

CAL. NO. 1092-39-BZ—Application, August 14, 1939, under section 21 of the building zone resolution, of Martyn N. Weinstein, applicant, on behalf of Beech Haven Estates, owner, to permit in a residence use district, the erection and maintenance of a garage for the storage of more than three (3) cars, appurtenant to a multiple dwelling for use of the tenants of such multiple dwelling; premises 84-49 168th street, east side, 150.82 ft. north of Gothic drive (Block No. 9859, Lot No. 88), Jamaica, Borough of Queens.

CAL. NO. 819-38-BZ—Application, September 24, 1938, under sections 7h and 21 of the building zone resolution, of Charles McEvoy, applicant and lessee, on behalf of Charles Jacobs, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 75-01 Broadway, northeast corner of 75th street (Block No. 1486 (499), Lot Nos.

13, 16 and 18), Jackson Heights, Borough of Queens.

CAL. NO. 425-39-BZ—Application, April 5, 1939, under section 7a of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Joseph Serpico, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 807 Metropolitan avenue, north side, 1-5 Bushwick avenue and 18 Maspeth avenue, southeast corner (Block No. 2907, Lot No. 1), Borough of Brooklyn.

CAL. NO. 1222-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Louis Caner, owner, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores); premises 794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 10, 1939, 2 P. M.

Appeals from Administrative Decisions

906-39-A—419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan.

916-39-A—54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

386-39-A—41-45 Elliott place, northwest corner of Walton avenue (Block No. 2842, Lot No. 22), Borough of Brooklyn.

581-39-A—1510 Jessup avenue, east side, 884.8 ft. south of Featherbed lane (Block No. 2872, Lot Nos. 287, 293, 296, 298, 299 and 300), Borough of The Bronx.

752-39-A—245 Russell street, northeast corner of Meserole avenue (Block No. 2628, Lot No. 6), Borough of Brooklyn.

969-39-A—168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21 to 28, inclusive), Borough of Brooklyn.

1049-39-A—Re transportation of gasoline in tank truck (not of approved type) in New York City.

925-39-A—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

873-39-A—110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn.

CALENDAR

- 1024-39-A—156-158 Perry street, south side, 60 ft. west of Washington street (Block No. 637, Lot No. 21), Borough of Manhattan.
- 980-39-A—93-30 Van Wyck boulevard, west side, 62 ft. north of 94th avenue (Block No. 522, Lot No. 14), Jamaica, Borough of Queens.
- 1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.
- 1126-39-A—975 East 9th street, east side, 140 ft. north of Avenue "J" (Block No. 6522, Lot No. 56), Borough of Brooklyn.
- 1117-39-A—181-14 Kildare road, south side, 99.96 ft. east of Surrey place (Block No. 7232, Lot No. 13), Jamaica, Borough of Queens.
- 1144-39-A—703 Fairview avenue and 202 Palmetto street, southeast corner (Block No. 3489, Lot No. 1), Ridgewood, Borough of Queens.
- 1150-39-A-WF—134-24 Northern boulevard, south side, 123 ft. west of Prince street (Store No. 6); (Block No. 4976, Lot No. 36), Flushing, Borough of Queens.
- 1163-39-A—Re transportation and sale of gasoline.
- 1192-39-A—50-52 North Henry street, east side, 129 ft. north of Meeker avenue (Block No. 2828, Lot No. 1), Borough of Brooklyn.
- 1201-39-A—771-773 First avenue, west side, 100.5 ft. north of East 43rd street (Block No. 1336, Lot No. 27), Borough of Manhattan.
- 1095-39-A—191 Canal street, north side, 629.19 ft. west of Wright street (Block No. 527, Lot No. 49), Stapleton, Borough of Richmond.
- 1198-39-A—384-386 Broadway, east side, 31 ft. north of White street (Block No. 195, Lot No. 2), Borough of Manhattan.
- 1080-39-A—1413-1415 Avenue "J", north side, 60 ft. west of East 15th street (Block No. 6707, Lot Nos. 47 and 48), Borough of Brooklyn.
- 1081-39-A—6509-6511 18th avenue, east side, 60 ft. $\frac{1}{8}$ in. south of 65th street (Block No. 5554, Lot No. 6), Borough of Brooklyn.
- 1082-39-A—140-40 Sanford avenue, southeast corner of Willow lane (Block No. 5180, Lot No. 35), Flushing, Borough of Queens.
- 1088-39-A—306 West 102nd street, south side, 125 ft. west of West End avenue (Block No. 1889, Lot No. 64), Borough of Manhattan.
- 1207-39-A—73 Vesey street, south side, 34 ft. 8 in. west of Greenwich street (Block No. 83, Lot No. 12), Borough of Manhattan.
- 1158-39-A—234 Meeker avenue, south side, 169 ft. west of Lorimer street (Block No. 2746, Lot No. 21), Borough of Brooklyn.
- 1166-39-A—130 Hicks street, west side, 45 ft. south of Clark street (Block No. 235, Lot No. 44), Borough of Brooklyn.
- 1101-39-A—597 Green avenue, southwest corner of Tompkins avenue (Block No. 1799, Lot No. 42), Borough of Brooklyn.
- 1165-39-A—50-23 23rd street, northeast corner of 51st avenue (Block No. 104, Lot No. 1), Long Island City, Borough of Queens.
- 1208-39-A—113 Beach 63rd street, west side, 480.3 ft. south of Larkin street (Block No. 356, Lot No. 68), Arverne, Borough of Queens.

- 1197-39-A—175 Lake avenue, east side, 150 ft. north of Walker street (Block No. 1161, Lot Nos. 9, 11 and part of Lot No. 34), Mariners Harbor, Borough of Richmond.
- 1217-39-A—103 Beach street, north side, 73.25 ft. east of Van Duzer street (Block No. 513, Lot No. 50), Stapleton, Borough of Richmond.
- 1213-39-A—63-53 98th street, southeast corner of 63rd drive (Block No. 2100, Lot No. 1), Forest Hills, Borough of Queens.

Variation of the Labor Law

- 1135-39-S—230 West 27th street, south side, 45 ft. $5\frac{1}{2}$ in. west of Seventh avenue (Block No. 776, Lot No. 56), Borough of Manhattan.

Appliance Submitted for Approval

- 851-39-SA—Binks Circulating System for Paint Spraying.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 10, 1939*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 167-34-BZ—Application of Insular Realty Corporation, applicant and owner, reopened September 12, 1939 re extension of permit — re Application, previously granted on condition, under section 21 of the building zone resolution, for a temporary period, permitting in a business use district, the change of occupancy of an existing building to a motor vehicle repair shop; premises 1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Borough of Brooklyn.

CAL. NO. 685-24-BZ—Application of William H. Gompert, applicant, on behalf of Eugene Kienle, owner, reopened September 26, 1939 for consideration as to extension of time to obtain permits and complete work — re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the erection of a portion of the 3rd story of an existing building used for the manufacture of lithographic ink (permission to erect building was granted by the board); premises 33-47 Nassau avenue, north side, from Guernsey street to Dobbin street (Block No. 2643, Lot Nos. 30, 31, 32, 33 and 36), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 17, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 17, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

CAL. NO. 178-39-BZ—Application, February 14, 1939, under section 7f of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Buhrman Sand and Gravel Corporation, owner (Colonial Sand and Stone Co., Inc., lessee), to permit in a residence use district, the operation of a sand and gravel pit; premises East side of Douglaston parkway, 951.27 ft. south of 61st avenue (Block No. 8291, Lot No. 1), Douglaston, Borough of Queens.

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

CAL. NO. 703-38-BZ—Application, August 8, 1939, under section 7h of the building zone resolution, of Alice M. Johnston, applicant, on behalf of J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners (Charles Miller, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.

CAL. NO. 671-39-BZ—Application, May 22, 1939, under sections 7c and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Artbern Corporation, owner, (Reshen Sons, lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens.

CAL. NO. 465-39-BZ-WF—Application, April 13, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Sara V. Bolmer, owner (Daniel G. Bolmer, executor), to permit partly in a business use and partly in a residence use and "C" area district, the erection and maintenance of a parking lot, garage and bus terminal for more than five (5) motor vehicles and, also, the omission of the required rear yard within a "C" area district; premises 120-24 to 120-50 Queens boulevard, south side, 167.45 ft. west of 82nd avenue and 9 Kew Gardens road (Block No. 3358,

Lot No. 13), Kew Gardens, Borough of Queens.

CAL. NO. 797-39-BZ—Application, June 15, 1939, under section 21 of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of Henry Sonn & Co., Inc., owner, to permit in a residence use district, the maintenance of a business use (three (3) stores) in part of the basement story of an existing multiple dwelling; premises 772-778 St. Nicholas avenue, east side, 200 ft. south of West 150th street and 331 Edgecombe avenue, west side, 259 ft. 10 in. south of West 150th street (Block No. 2053, Lot No. 114), Borough of Manhattan.

CAL. NO. 279-39-BZ—Application, March 6, 1939, under section 7h of the building zone resolution, of George J. Lobenstein, applicant, on behalf of Church Lane Realty Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2228-2238 Church avenue, south side, 213 ft. 8½ in. east of Flatbush avenue (Block No. 5103, Lot Nos. 36, 37, 137, 38, 39 and 40), Borough of Brooklyn.

CAL. NO. 440-38-BZ—Application, June 2, 1938, under section 7h of the building zone resolution, of Sydne Schleman, applicant, on behalf of Hugh P. Skelly, owner (Marcy Rosen and Louis Ackerholt, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2902-2930 Surf avenue, southwest corner of West 29th street (Block No. 7068, part of Lot No. 1), Borough of Brooklyn.

CAL. NO. 737-39-BZ—Application, June 3, 1939, under section 7h of the building zone resolution, of Murray Klein, applicant, on behalf of Hein-Nolan Realty Co., Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-125 Bayard street and 441-463 Manhattan avenue, northwest corner (Block No. 2718, Lot No. 14), Borough of Brooklyn.

CAL. NO. 305-39-BZ—Application, March 11, 1939, under section 21 of the building zone resolution, of Giovanni Cuomo, applicant and owner, to permit in a residence use district and "F" area district, the maintenance of two (2) dwellings not conforming with the setback, side yard, rear yard and, also, occupancy of lot requirements of the building zone resolution; premises 150-43 to 150-47 114th street, east side, 115.47 ft. north of North Conduit avenue (Old South road); (Block No. 2677, Lot No. 13), Ozone Park, Borough of Queens.

CALENDAR

CAL. NO. 585-39-BZ—Application, May 8, 1939, under sections 7a and 21 of the building zone resolution, of Vincent Schiliro, applicant, on behalf of Mary Schnappauf, owner, to permit in a residence use district, the erection and maintenance of a building to be used as a garage (not accessory to the dwelling on the same lot) and, also, for the storage of bottled beverages; premises 70-20 72nd street, west side, 250 ft. north of Central avenue (Block No. 3663, Lot Nos. 18 and 19), Glendale, Borough of Queens.

CAL. NO. 411-39-BZ—Application, March 31, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Violet Bazerman, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

HARRIS H. MURDOCK, Chairman.

OCTOBER 17, 1939, 2 P. M.

Appeals from Administrative Decisions

993-39-A—135-02 62nd avenue, south side, 260 ft. west of 136th street (Block No. 6389, Lot No. 1), Flushing, Borough of Queens (under Section 35, General City Law: Re Bed of Mapped Street).

1037-39-A—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

1058-39-A—24 First avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 17, 1939*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 79-35-BZ—Application of Stein and Wiener, applicants, on behalf of Patrick Filomino, for Filomino Building Corporation, owner, reopened September 19, 1939, for consideration as to extension of permit — re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the change of occupancy of part of an existing building to a motor vehicle repair shop for a temporary period; premises 3223 Laconia avenue, west side, 81.41 ft. north of Boston road (Block No. 4613, Lot No. 54), Borough of The Bronx.

CAL. NO. 364-36-BZ—Application of Thomas H. Simmons, applicant, on behalf of Joseph Wellner, lessee, for Edbro Realty Co., Inc., owner, reopened September 19, 1939,

for consideration as to extension of permit — re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles; premises 31-64 to 31-86 31st street, west side, 100 ft. north of Broadway (Block No. 589, part of Lot No. 9), Astoria, Borough of Queens.

HARRIS H. MURDOCK, Chairman.

OCTOBER 20, 1939, 10 A. M.

Rules

1139-39-SR—Proposed Rules for Inspection of Approved Opening Protective Assemblies.

OCTOBER 24, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 24, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1013-38-BZ—Application, November 10, 1938, under section 7h of the building zone resolution, of John Beveridge, applicant and lessee, on behalf of Jesse Knight, Edith Howells, Daisy Howells, American Savings Bank, Ernest Hoehn and Union Dime Savings Bank, owners, to permit in a business use district, the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution; dismissal action rescinded and application restored to calendar); premises 1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21 to 25, inclusive), Borough of Manhattan.

CAL. NO. 739-39-BZ—Application, June 1, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of 1726 Lexington Avenue, Inc., owner (John A. Alexander, lessee), to permit in a business use district, the erection and maintenance of a gasoline service station; premises 130 East 108th street and 1726-1730 Lexington avenue, southwest corner (Block No. 1635, Lot Nos. 57, 156 and 157), Borough of Manhattan.

CAL. NO. 413-39-BZ—Application, March 30, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of New York Rapid Transit Corporation and Brooklyn-Manhattan Transit Company, owners (Gulf Oil Corporation, lessee), to permit partly in a business use district and partly in a residence use district, the extension of a gasoline service station; premises 464-484 Flatbush avenue and 1-33 Ocean avenue, southwest corner (Block No. 5024, part of Lot Nos. 28 and 37), Borough of Brooklyn.

CALENDAR

CAL. NO. 552-39-BZ—Application, May 3, 1939, under section 21 of the building zone resolution, of Bernhardt T. Berman, applicant, on behalf of Elias Goldberg, owner, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1028-1030 Utica avenue, west side, 100 ft. south of Tilden avenue (Block No. 4734, Lot No. 11), Borough of Brooklyn.

CAL. NO. 1007-39-BZ—Application, July 27, 1939, under section 7h of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Helen Robertson, Claire F. Schimmel and Excelsior Savings Bank, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2334-2364 Jerome avenue, east side, 96 ft. south of East 184th street (Block No. 3187, Lot Nos. 14 and 21), Borough of The Bronx.

CAL. NO. 746-39-BZ—Application, June 7, 1939, under sections 7c, 7f and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Brooklyn Development Company, owner (George E. Weidner, lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a golf driving range and accessory club house; premises 2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

Appeal from Administrative Decision

894-39-A—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn (Under Section 35, General City Law, Re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 3, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, September 19, 1939, the minutes of the regular meeting of the board held on Tuesday afternoon, September 19, 1939, and the minutes of the special meeting of the board held on Friday morning, September 22, 1939, were approved as printed in Bulletin No. 39, Vol. 24.

BUILDING ZONE CASES

411-39-BZ.

APPLICANT—Lama and Proskauer, for Violet Bazerman, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED — 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Klorfein and Samuel Kupferschmid.

ACTION OF BOARD—Laid over to October 17, 1939, at 10 A. M., applicant to submit revised plans.

1013-38-BZ.

APPLICANT—John Beveridge (lessee), for Jesse Knight, Edith Howells, Daisy Howells, American Savings Bank, Ernest Hoehn and Union Dime Savings Bank, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21 to 25, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles J. Rieolta and John C. Beveridge.

ACTION OF BOARD—Application dismissed for lack of prosecution; dismissal action rescinded and laid over to October 24, 1939, at 10 A. M. Applicant to notify owners in affected area by registered mail not later than October 5, 1939.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO RESCIND DISMISSAL—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

844-38-BZ.

APPLICANT—Lama and Proskauer, for Lena Maria Rasch, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not

MINUTES

more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2717-2739 Pitkin avenue, northeast corner Euclid avenue (Block No. 4214, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: M. J. Fellner.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

4

0

0

THE RESOLUTION—

(844-38-BZ)

WHEREAS, Lama and Proskauer, for Lena Maria Rasch, owner, filed October 4, 1938, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 2717-2739 Pitkin avenue, northeast corner of Euclid avenue (Block No. 4214, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, October 3, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Pitkin avenue is in a business use district; Glenmore avenue is in a business use district; Pine street is in a residence and business use district and Euclid avenue is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, re Application No. 4879-38, dated September 22, 1938, reads:

"Proposed parking and storage for more than five cars in a business district contrary to Building Zone Resolution, Art 2, Section 4, Par. 15, also Art. 5, Sec. 21. Therefore application denied."

and

WHEREAS, the premises, part of a larger parcel of property, consist of a plot of ground having a frontage of 200 ft. on Pitkin avenue, 100 ft. on Pine street and 100 ft. on Euclid avenue. It is proposed to use the site for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7h, for a period of two (2) years, to permit the premises under appeal, with a frontage of 200 ft. along Pitkin avenue and a depth of 100 ft. along Pine street and a depth of 100 ft. along Euclid avenue, to be occupied for the parking and storage of more than five (5) motor vehicles, on condition that only automobiles of the pleasure car type shall be so parked; that the plot shall be leveled substantially to the grade of the surrounding streets and surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that there shall be erected on the interior lot line, a substantial woven wire fence, of the anchor post type, not less than 6 ft. in height with no openings therein; that there shall be erected on the street building lines, a similar fence with no openings therein, except one which shall be located on Euclid avenue, not nearer than 15 ft. northerly from the intersection of Euclid avenue and Pitkin avenue; that such entrance shall

not exceed 15 ft. in width, and that the curb cut opposite may be of a similar width; that during the term of this variance, the premises shall be used for no other use than herein granted and no buildings shall be erected thereon except that there may be erected near the entrance, a building not exceeding one (1) story in height and not over 150 sq. ft. in area, as an office and shelter for the attendant; that such building may be of frame; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that no signs shall be erected except that there may be a sign attached to the fence at the entrance and not extending over the building line, to advertise the permitted use, provided such sign does not exceed 15 sq. ft. in area; that any lights for general illumination that are erected shall be on post standards with metallic reflectors so arranged as to reflect away from the adjoining residential occupancies; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

212-36-BZ.

APPLICANT—Charles H. Bellows, for Estate of John E. Miller, owner (Joseph Rossi, lessee).

SUBJECT—Application for consideration—reopening and reconsideration on new proposal—re Application (decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles (previously denied).

PREMISES AFFECTED—317-321 East 103rd street, north side, 287 ft. 6 in. west of First avenue (Block No. 1675, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles H. Bellows.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

4

0

0

489-38-BZ.

APPLICANT—Lama and Proskauer, for Sam Schwartz and Joseph Schwartz, owners.

SUBJECT—Application for consideration—reopening and reconsideration—re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station (previously denied).

PREMISES AFFECTED—219-01 North Conduit boulevard and 144-01 to 144-09 Springfield boulevard, northeast corner (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

4

0

0

MINUTES

577-19-BZ.

APPLICANT—John J. Gilmartin, for Emil Navone, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district, the inclusion of a gasoline service station in a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—231-235 Sixth avenue and 179-183 West Houston street, southwest corner (Block No. 520, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(577-19-BZ)

WHEREAS, this application affecting premises 179-183 West Houston street and 231-235 Sixth avenue, southwest corner (Block No. 520, Lot No. 33), Borough of Manhattan, was granted by the board November 11, 1919, permitting the premises to be occupied as a garage for more than five (5) motor vehicles; and

WHEREAS, Joseph B. Lynch for Emil Navone, present owner, requested a reopening of the application in order to permit in a business use district the inclusion of a gasoline service station; and

WHEREAS, the resolution was amended by the board May 16, 1936, permitting the gasoline service station; and

WHEREAS, the resolution was amended July 16, 1937, and applicant requested a further amendment.

Resolved, that the resolution adopted by the board on November 11, 1919, as amended May 16, 1936, and July 16, 1937, be and it hereby is further amended, by adding thereto the following:

"that in the event that the owner desires to alter the existing building as indicated on plans filed marked 'received October 14, 1935,' so as to incorporate an exterior alcove service station and also to extend the premises southerly to include the adjoining lot and building having a frontage on Sixth avenue of 17 ft. $\frac{1}{4}$ in. and a depth of 42 ft., such alteration and extension may be permitted on condition that gasoline pumps erected shall be not less than 10 ft. back from the property line on Sixth avenue or West Houston street; that the entire gasoline selling alcove shall be cement paved; that there shall be a masonry wall constructed, as indicated, to separate the gasoline selling area from the public garage; that the adjoining lot to the south shall be operated in conjunction with this garage and gasoline selling station as a showroom and store for automobile accessories, but no motor vehicle repairing; that the existing building shall not be increased in height or area; that there shall be erected at the corner formed by the intersection of West Houston street and Sixth avenue, a concrete curb not less than 5 ft. in each direction from the corner, this concrete curb to be not less than 12 in. in height and 12 in. in width; that the existing curb cuts shall not be extended; that no portable gasoline pumps shall be permitted on the premises; that signs shall be restricted to the illuminated globes of the pumps and to permanent flat signs attached to the front walls of the building and lettering on the show windows, excluding all roof signs and signs of a temporary nature except that there may be erected within the building line, near the intersec-

tion of West Houston street and Sixth avenue, post standards with illuminated sign, advertising only the brand of gasoline to be sold, this sign to extend beyond the building line not more than 8 ft. and to be not less than 12 ft. above the sidewalk; and a right angle bracket sign attached to the portion of the building used for show window for automobiles, which may be an illuminated sign, extending beyond the building line for a distance of not more than 8 ft. as covered by sign permit issued by the commissioner of buildings, No. 773/1936; that the ceiling of the garage shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that all work shall be completed within one year from the date of this amended resolution."

"Resolved further, that in the event the owner does not choose to continue the operation of the gasoline service station, as permitted by resolution adopted May 16, 1936, and desires to reconstruct the building by erecting a new front wall along the building line of Sixth avenue and West Houston street so as to enclose space to be used for automobile show room, such construction and use may be permitted, provided the area is not also used as a gasoline service station; that the present garage to the rear may continue to be used as a garage; that the present gasoline tanks may be permitted to remain, provided two of the gasoline tanks are sealed up and only two are kept in active use, and provided they are used for servicing only the automobiles stored therein and no gasoline is sold to passing motor vehicles."

Resolved further, that in the event the owner elects to discontinue the operation of the gasoline service station and to reconstruct the building as permitted in the foregoing resolution and which the applicant states has already been done, an additional extension may be erected on the corner of the plot at Sixth avenue and West Houston street, as indicated on plan filed marked "Received September 25, 1939," for housing greasing pits, on condition that such building shall be constructed of fireproof material, except that the roof beams and roof boarding may be of wood, provided the ceilings throughout are fire-retarded in accordance with the requirements of the Board of Standards and Appeals; that if closure doors are erected a ventilating system shall be installed to ventilate the pits through the roof; that fan installed in connection therewith shall be of the sparkproof type; that any windows and doors installed between this building and the existing garage or open area shall be of metal glazed brick wire glass; that in all other respects the resolution adopted by the board on July 16, 1937, shall be complied with; that all permits shall be obtained and all work completed within one year from the date of this amended resolution; and that after such work is completed as herein permitted, a photograph showing the completed work shall be filed with this board.

369-36-BZ.

APPLICANT—Michael A. Mead, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7f of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block No. 6166, part of Lot No. 25), Rossville, Borough of Richmond.

APPEARANCES—

For Applicant: Michael A. Mead.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
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MINUTES

Negative 0
Absent 0

THE RESOLUTION—

(369-36-BZ)

WHEREAS, John J. Gilmartin, for Michael Mead, owner, filed December 9, 1936, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline station; premises: 2306-2320 Arthur Kill road and 1157-1165 Rossville avenue, southeast corner (Block No. 6166, part of Lot No. 25), Rossville, Borough of Richmond; and

WHEREAS, this application was granted by the board October 13, 1937, and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the board on October 13, 1937, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completing the work, so that as amended the resolution will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-f thereof for a temporary period of two years from the date of this *amended resolution*, to permit a portion of Lot No. 25 with a frontage of 100 ft. on Arthur Kill road and 100 ft. on Rossville avenue, as indicated on plans filed with this appeal, to be occupied temporarily as a gasoline service station, *on condition* that the plot shall be leveled substantially to the grade of Arthur Kill road; that the arrangement of the gasoline station shall be generally as indicated on plans filed with this appeal; that no pumps shall be erected nearer than 15 ft. to the street line of either street; that the accessory building shall be constructed of fireproof materials, except that the roof beams and doors may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and that the roof weather surfacing shall be of non-flammable material; that portion of the section used for car greasing shall remain open, unless the greasing equipment is of a hydraulic type; that the portion of the area between the accessory building and the two streets shall be cement-paved or covered with cracked blue-stone, properly bound and rolled; that entrances shall be restricted to two to Arthur Kill road, not over 15 ft. in width each and two to Rossville avenue, not over 15 ft. in width each and that no part of any curb cut shall be nearer than 10 ft. to the corner formed by the two streets; that during the term of this variance, no other portion of the plot shall be used for non-conforming uses; that signs shall be restricted to the illuminated globes of the pumps and a permanent flat sign attached to the front of accessory building and to a sign advertising the brand of gasoline on sale, which may be erected on a post standard within the building line near the intersection of the two streets; that the sign on this standard may extend beyond the building line for a distance of not more than 4 ft. and may be illuminated; that no automobile repairing shall be carried on and no parking or storage of cars other than those being serviced; that complete working drawings shall be submitted and approved by the chairman, on behalf of the board as complying with this resolution prior to same being filed with the commissioner of buildings; that such plans shall be filed within *six* months and all permits shall be obtained and all work completed within *six months* after the approval of such plans."

170-37-BZ.

APPLICANT—William R. McVay, for Hermine Corlis, owner.

SUBJECT—Application for consideration—reopening and

extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—79-05 Little Neck road, southeast corner of Union turnpike (Block No. 12, Lot Nos. 4, 5 and 6), Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: William R. McVay and Hermine Corlis.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(170-37-BZ)

WHEREAS, William R. McVay, for Hermine Corlis, owner, filed April 14, 1937, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; premises: 79-05 Little Neck road, southeast corner of Union turnpike (Block No. 12, Lot Nos. 4, 5 and 6), Floral Park, Borough of Queens; and

WHEREAS, this application was granted by the board April 12, 1938, on certain conditions, the resolution reading as follows:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, *for a temporary period of ten* (10) years from the date of this action, to permit the premises under appeal to be occupied as a gasoline service station for a distance along Little Neck parkway, approximately 62 ft., and along Union turnpike, approximately 100 ft., comprising Lot Nos. 4, 5 and 6 in Block No. 12, also known as City Block 11213, *on condition* that the plot shall be levelled substantially to the grade of surrounding streets and that the arrangement shall be in accordance with revised plans marked 'Received April 5, 1938'; that the accessory building shall be erected toward the southeasterly portion of the premises and shall be one story with gable roof, constructed of brick and stone, the roof surfaced with heavy variegated slate; that there shall be brick and stone walls not less than 7 ft. in height, erected on the interior lot lines from accessory building to the street building lines; that the accessory building shall be arranged with office and lubritorium; that the balance of the premises where not occupied by accessory buildings, shall be cement-paved or surfaced with Colprovia or similar material; that the pumps erected on the premises shall be not nearer than 15 ft. to either street building line; these pumps shall be of the type approved for parkways, with masonry pedestals not less than 4 ft. in height; that signs shall be restricted to illuminated globes of the pumps and to a permanent flat sign attached to the facades of the accessory building, but permitting a post standard to be erected near the building line, near the intersection, supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, provided such sign does not extend beyond the building line for a distance over 5 ft.; that planting shall be maintained substantially as indicated, protected by curbing; that before plans are filed with the borough superintendent, complete working drawings shall be submitted to this board for approval and for the imposition of such additional conditions as may be deemed necessary; that tanks and piping for gasoline installation shall be of new approved material; that equipment for lubritorium shall

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be of the hydraulic type with no greasing pits; that any heating room shall be separated from the balance of the building by fireproof material and enterable only from the exterior of the building; that lights for general illumination shall be on post standards with metallic reflectors, so arranged as to reflect towards the centre of the premises; that entrances shall be limited to two (2) to Union turnpike not exceeding 20 ft. in width and two (2) to Little Neck parkway not exceeding 20 ft. with curb cut opposite of similar width; that adjacent to the entrance along the street front, shall be maintained planted or grassed areas; that all plans herein required to be filed shall be submitted within three months and that all permits shall be obtained and all work shall be completed within one year after approval of such plans."

and

WHEREAS, applicant has filed plans for approval by the board.

Resolved, that the Board of Standards and Appeals does hereby approve the plans marked "Received October 5, 1938," as being in substantial compliance with the resolution adopted on April 12, 1938.

and

WHEREAS, applicant now requests an extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the board on April 12, 1938, as amended by resolution adopted October 11, 1938, be and it hereby is further amended, only so far as it has reference to obtaining working permits and completing plans, so that as amended this portion of the resolution will read:

"that all permits shall be obtained and all work completed within one year from the date of this amended resolution."

348-37-BZ.

APPLICANT—Charles Hendry, for Adam Schliessman, lessee, for Irving Wilson Voorhees, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—77-03 to 77-09 Roosevelt avenue, north side, 100 ft. west of 78th street (Block No. 1288, Lot No. 39A), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant—Adam Schliessman and John J. Riordan.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(348-37-BZ)

WHEREAS, Adam Schliessman (lessee), for Irving Wilson Voorhees, owner, filed July 6, 1937, an application under the building zone resolution to permit for a temporary period of not more than two years in a business use district the parking and storage of more than five (5) motor vehicles; premises: 77-03 to 77-09 Roosevelt avenue, northside, 100 ft. west of 78th street (Block No. 1288, Lot No. 39-A), Jackson Heights, Borough of Queens; and

WHEREAS, this application was granted by the board March 11, 1938, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the board on March 11, 1938, be and it hereby is amended, only so far as it has reference to obtaining permits and completing work, so that as amended this portion of the resolution will read:

"that all permits required shall be obtained and all work involved shall be completed within two (2) months from the date of this amended resolution."

APPEAL FROM ADMINISTRATIVE DECISION

476-38-A.

APPLICANT — James J. Millman, for Rose Cortazzo, owner.

SUBJECT—Application for consideration—reopening and reconsideration—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1750 East 53rd street, west side, 340 ft. south of Avenue O (Block No. 8492, Lot No. 57), Borough of Brooklyn.

APPEARANCES—

For Applicant: James J. Millman.

ACTION OF BOARD—Appeal reopened and granted.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(476-38-A)

WHEREAS, James J. Millman, for Rose Cortazzo, owner, filed on June 9, 1938, an appeal from a decision of the borough superintendent, department of housing and buildings, affecting premises 1750 East 53rd street, west side, 340 ft. south of Avenue O (Block No. 8492, Lot No. 57), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on App. No. 3778-38, dated June 6, 1938, reads as follows:

"M.D.L. 1. As entire bldg. is not brick veneered, occupancy in a frame bldg. cannot be increased. Sec. 56."

and

WHEREAS, the building is two stories, 22 ft. in height, 22 ft. by 60 ft. in area, of frame construction, located in a residence use "E" area district; erected in 1925 and occupied since 1925, as follows: Cellar—ordinary; 1st floor—dwelling, one family; 2nd floor—dwelling, two families, for which Certificate of Occupancy No. 72649 was issued December 21, 1933; and

WHEREAS, it is proposed to increase the occupancy of the first floor to two families, so that the building will be occupied throughout by four families; and

WHEREAS, the applicant contends that the building is brick veneered on the first floor and faced with 3/16 inch asbestos siding on the second floor; that the asbestos siding, which is applied so as to leave an air space between the siding and the frame, is of equivalent fire protection to that offered by brick veneer, that no part of the frame is exposed from the ground to the underside of the cornice; and

WHEREAS, in the opinion of the board, the proposed asbestos siding cannot be interpreted as equivalent to the requirements of section 56 of the multiple dwelling law and that to grant this application would be to grant a modification of the multiple dwelling law, which the board is not empowered to vary; and

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WHEREAS, the appeal was denied by the board and applicant requested a reopening of the case; and

WHEREAS, the new decision of the borough superintendent rendered in acting on Alt. 3417-39, dated September 26, 1939, reads:

"1. Proposed increased occupancy in a frame building is in violation of Sect. 56 M.D.L. (note applications state to brick veneer present frame walls from 2nd tier to underside of cornice), denied."

and

WHEREAS, the applicant now proposes to brick veneer the exterior walls of the building for their full height, as required by section 56 of the multiple dwelling law to permit occupancy of a frame multiple dwelling for two families on the first floor; and

WHEREAS, in the opinion of the board the intent of section 56 is that the additional occupancy therein permitted may be allowed at anytime after the required brick veneering of exterior walls is completed.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 3417-39, objection of September 26, 1939, is hereby *reversed* and the appeal be and it hereby is *granted*.

MATERIALS SUBMITTED FOR APPROVAL

684-39-SM.

APPLICANT—Chase Brass and Copper Company, owner.

SUBJECT—Chase Oil Burner Tubing, approval of.

APPEARANCES—

For Applicant: D. D. Hosford.

ACTION OF BOARD—Application withdrawn upon request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

357-37-SM.

APPLICANT—Chase Brass & Copper Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Chase Brass & Copper Co., Inc., Oil Burner Tubing, Type K.

APPEARANCES—

For Applicant: D. D. Hosford.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(357-37-SM)

WHEREAS, the Chase Brass & Copper Co., Inc., owner, filed July 13, 1937, an application with the Board of Standards and Appeals for approval of their material known as the "Chase Brass & Copper Co. Oil Burner Tubing," Type K; and

WHEREAS, this material was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer was substantially as follows:

The engineer of the board inspected and tested sample of Chase Copper Oil Burner tubing (drawn tubing) submitted for approval under Cal. 357-37-SM for use in oil burner installations. The material is electrolytic copper dioxidized with phosphorus. 99.9 per cent, cold drawn or soft annealed. This tubing has a thickness of wall for sizes as follows:

Nominal size Inches	Actual Inches	Wall thickness Inches
$\frac{3}{8}$	.500	.049
$\frac{1}{2}$	.625	.049
$\frac{3}{4}$	.875	.065
1	1.125	.065
$1\frac{1}{4}$	1.375	.065
$1\frac{1}{2}$	1.625	.072
2	2.125	.083

these sizes being marked type K.

It is recommended that the Chase Brass and Copper Company copper oil burning tubing of thickness .049 to .083 in the sizes detailed above be approved for use in oil burner installation when marked "Chase Copper Tubing K."

and

WHEREAS, this material was approved by the board and applicant requested approval of additional sizes; and

WHEREAS, the report of the committee on tests on these additional sizes reads:

REPORT OF COMMITTEE ON TESTS

September 25, 1939:

Cal. No. 357-37-SM.

Subject: Chase Brass & Copper Co.

Oil Burner Copper Tubing.

The Chase Brass and Copper Co. of Waterbury, Connecticut, filed a request on May 23, 1939, for the approval of copper tubing for use under the Oil Burner Rules of the Board of Standards and Appeals. The additional sizes of this copper tubing are as follows:

5/16" O.D. — 0.049" Wall Thickness.

7/16" O.D. — 0.049" Wall Thickness.

These sizes have been tested and approved by the Underwriters Laboratories, see Reexamination Procedure MH-2513, Volume 1, May 3, 1937.

On the basis of this data, the committee recommends the reopening of the resolution of the Board of Standards and Appeals dated July 20, 1937, be amended to include the additional sizes listed herein and that in addition to the marking as provided therein, that each shipment of tubing carry a tag or label reading as follows: "Approved by the Board of Standards and Appeals for use in New York City, when used under the provisions of the Oil Burner Rules, under Cal. No. 357-37-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the "Chase Brass & Copper Co. Oil Burner Tubing," type "K," in nominal sizes $\frac{3}{8}$ in., $\frac{5}{16}$ in., $\frac{7}{16}$ in. and $\frac{1}{2}$ in. of a wall thickness .049 inches and in nominal sizes $\frac{3}{4}$ in., 1 in. and $1\frac{1}{4}$ in. of a wall thickness of .065 inches and $1\frac{1}{2}$ inch of a wall thickness .072 inches and 2 inch of a wall thickness .083 inches; all tubing to be stamped with name and type every 12-14 inches for use in New York City where copper tubing of this diameter and weight is required to be used.

132-39-SM.

APPLICANT — Johns-Manville Sales Corporation, for Pittsburgh Steel Company, owner.

SUBJECT—Application for consideration—reopening and amendment—Steeltex, Type "A" for plaster base.

APPEARANCES—

For Applicant—A. D. Shuldis and G. C. Phillips.

ACTION OF BOARD—Application reopened and resolution amended.

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THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(132-39-SM)

WHEREAS, Johns-Manville Sales Corporation, for Pittsburgh Steel Company, owner, filed February 2, 1939, an application with the Board of Standards and Appeals for approval of the material known as Steeltex, Type "A", as a plaster base; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 132-39-SM.

Subject: Steeltex, Type "A" (Plaster base).

The Johns-Manville Sales Corporation of New York on behalf of the Pittsburgh Steel Company of Pittsburgh, Pa., filed on February 2, 1939, an application with the Board of Standards and Appeals for approval of Steeltex, Type A, as a plaster base, under the following provisions of the Administrative Building Code: C26-458.0 (8.4.10.2) Combustible Lath C26-459.0 (8.4.10.3) Metal Lath, C26-460 (8.4.10.4) Furring and Studding for Metal Lath and Plaster Partitions and C26-636.0, sub. c (10.4.3.1) Materials for Fireproof partitions.

DESCRIPTION AND METHOD OF APPLICATION

Steeltex, Type A lath, is manufactured by the Pittsburgh Steel Co. at their plant located in Monessen, Pa., and sold exclusively by the Johns-Manville Sales Corp. of New York. This lath is made up in sheets $30\frac{1}{2}$ x 49 nominally and consists of electrically welded steel wire mesh No. 16 W & M gauge galvanized and welded at all intersections and forming openings between the wires of 2" x 2" and 2" x $\frac{1}{2}$ " corrugations shaped like V's $\frac{1}{4}$ " deep are formed in the mesh approximately $4\frac{3}{8}$ " centers, one side of this V being formed by the $\frac{1}{2}$ " width mesh. This wire mesh is then secured to the paper backing by galvanized steel stitching wire No. 17 W & M gauge across the short dimension 2" center woven through the paper on each side of the corrugations in the mesh thus making it secure and forming a deep V groove $\frac{3}{4}$ " wide by $\frac{1}{4}$ " deep in the paper backing. The paper backing used was .011" average thickness of water absorbent characteristics so as to permit ready adhesion of sanded gypsum plaster. Each sheet of paper weighs 133.2 g. and is $30\frac{1}{4}$ " wide and $47\frac{7}{8}$ " long. The finished Steeltex Type A lath has a 1" wide selvage at each end and one side. The nails used for securing this lath to the studs are specially made for this purpose of No. 11 W & M gauge 1-5/16" long with a 13/32" diameter collar placed 5/32" from the head. When in final position 1" of the nail is in the stud and the collar engages over the wire at the bottom corrugation. For a tied on work to metal furring wire chips or 18 gauge galvanized soft annealed wire spaced on 8" centers is used.

This lath is applied so that all vertical joints are staggered and formed on the studs, lapping about 1" which results in an overlap of the paper backing of about $\frac{1}{8}$ ". The horizontal joints lap about $1\frac{1}{4}$ " providing a double wire in the first corrugation of adjoining sheets. When the lath is applied to the studs to provide a surface that is almost flat except for right depressions and grooves formed by the V shaped corrugations.

FIRE TEST OF STEELTEX "A" PARTITION

A fire test of a load bearing wood studded partition was performed at the Laboratories of the Underwriters report No. 39C192 Retardent No. 2258 filed herewith and witnessed by a committee of the board on April 10, 1939. The Steeltex Type A lath with nontreated integral paper backing heretofore described was applied over common 2" x 4" wood studs of southern yellow pine dressed on all sides to $1\frac{5}{8}$ " to $3\frac{5}{8}$ " spaced 16" centers and cut square so as to have good bearing on the horizontal members.

Each sheet of lath covered three stud spaces and was nailed and lapped as previously described. Over this lath was applied a $\frac{3}{4}$ " coating of sanded gypsum plaster the horizontal members.

Scratch Coat—1 part of fibered gypsum plaster and two parts dry sand by weight and applied to a thickness of approximately 3/16".

Brown Coat—Identical to above except that it was applied in a thickness of $\frac{1}{2}$ " over the scratch coat the next day.

Finish Coat—1 part hydrated lime to 2 parts gauging plaster by weight of proper consistency to a depth of 1/16" was applied one week after the brown coat.

Both sides of the partition were prepared as herein described. This partition was made up in a size of 10' 1" wide by 10' 10" high and tested 30 days after preparation with a total load of 18,000 lbs. or 2,000 lbs. per stud.

The test was conducted for a period of one hour in accordance with the requirements of C26-579 A. C. (10.1.5.1). Fire tests were conducted after this panel was placed in position. The load was applied by means of hydraulic jacks and the gas turned on. The exposure of the panel to fire was continued for one hour after which the panel was immediately subjected to the fire hose stream test as provided for in the Code. The panel was then allowed to cool normally, the one ton load per stud being maintained throughout this period of testing. Four hours later this panel was subjected to a load equivalent to two tons per stud or 36,000 lbs. in all, after which the loading continued to failure.

RESULTS OF FIRE TEST

The time temperature curve was maintained within the required area for the one hour period of the test. With an initial room temperature of 62° F. the maximum rise of the temperature was 258° F. less 62 or 196° F. No dry waste was ignited nor was any smoke fumes or flames given off.

The hose stream was so regulated as to provide a 30 lb. water stream from a distance of 20 feet for a period of 93 seconds and applied to the side exposed to the fire. The results of this test was the washing away of almost all the plaster finish and paper backing, loosening some of the nails which caused some of the mesh to fall back. The unexposed side remained intact and free of puncture. The paper on this side showed a slight discoloration and there were no signs of dehydration of the plaster over it.

When the 100% increase in load was applied 4 hours after the hose stream test, an equivalent load of 4,000 lb. per stud or 36,000 lbs. on the entire partition, there were no changes except increase in deflection with a vertical movement of the loading sill and additional cracking in the plaster. The loading was then continued till a load of 50,400 lbs. was applied to the partition when the studs failed by shearing. This will indicate that additional strength is given the partitions by the use of Steeltex type A lath and that the partition can carry its normal superimposed load for at least one hour.

BOND TEST

Tests for the loading of plaster to the Steeltex Type A lath were made at Columbia University, their report No. 2443 with details as follows: Sheets of Steeltex

MINUTES

Type A 10" x 10" were secured to wood blocks 2" thick by means of nine 1½" round head wood screws and ½" washers spaced in three rows 4" apart. Ten pieces of Steeltex Type A were thus attached to the wood blocks after which a ⅜" coat of sanded gypsum plaster was applied uniformly to the surface of the lath. Two openings were then pressed firmly together for a test specimen and allowed to cure for 14 days. They were then tested under tensile load in a 20,000 lbs. Southwark Emory hydraulic testing machine with results as follows:

Specimen No.	Surface Area	Max. Load	Plaster Board
1	100"	609 lbs.	876 lbs. per sq. ft.
2	100"	609 lbs.	876 lbs. per sq. ft.
3	100"	492 lbs.	708 lbs. per sq. ft.
4	100"	603 lbs.	868 lbs. per sq. ft.
5	100"	573 lbs.	825 lbs. per sq. ft.

Average 830

All the above tests resulted in bond failures at the lath surface.

RECOMMENDATIONS

As a result of these tests and having met all the requirements of C26-592.0 (10.1.12.2) of the Administrative Building Code for the period required of a one hour fireproof partition, the Committee recommends the approval as a plaster base of the material known as Steeltex Type A, as manufactured by the Pittsburgh Steel Co. and distributed by the Johns-Manville Sales Corporation when made and installed in accordance with the description and application to partitions as is provided herein and when backed with flame proofed paper as made by the Central Paper Company of Muskegan, Michigan, under the following provisions of the Administrative Building Code: As a one hour partition under C26-636.0 (10.4.3.1) provided that the chair rails, base boards and other mouldings, if level be of incombustible material or metal covered wood; under C26-459.0 (8.4.10.3) as coming within the purview of metal lath described in the code as follows: "Welded lath shall be made of galvanized wire of No. 16 Steel Wire Gauge a layer with a maximum mesh opening of 2" x 2", or equal weight per yard if mesh is finer, but in any case at least No. 20 Steel Wire Gauge," and under C26-460.0 (8.4.10.4) "Furring and Studding for Metal Lath and Plaster partitions and Ceilings" wherein the section provides that the lath be "No. 16 Steel Wire Gauge 2" mesh plastered on one side." *This lath with flame proofed paper backing may be used as a substitute for combustible lath under C26-458.0 (8.4.10.2) when applied as provided herein and under such conditions as are applicable to metal lath.*

It is further recommended that each package of Steeltex Type A lath be marked "flame proofed paper backing" and that in addition thereto each bundle shall be marked as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 132-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material on certain conditions; and

WHEREAS, this material was approved but request was made for certain changes in the report which are now incorporated as to flame proofed paper.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Steeltex, Type A, flame proofed paper plaster base, on condition that the material be manufactured, used, and labeled, stamped or tagged in accordance with above report.

940-39-SM.

APPLICANT—Medusa Portland Cement Company, owner.
SUBJECT — Medusa White Portland Cement, Medusa White Waterproofed Portland Cement, Medusa Gray Portland Cement and Medusa Gray Waterproofed Portland Cement—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE RESOLUTION—

(940-39-SM)

WHEREAS, the Medusa Portland Cement Company, owner, filed July 12, 1939, an application with the Board of Standards and Appeals for approval of the material known as Medusa White Portland Cement, Medusa White Waterproofed Portland Cement, Medusa Gray Portland Cement and Medusa Gray Waterproofed Portland Cement; and WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 940-39-SM.

Subject: Medusa White Portland Cement, Medusa White Waterproofed Portland Cement, Medusa Gray Portland Cement, and Medusa Gray Waterproofed Portland Cement.

September 29, 1939.

The Medusa Portland Cement Co. filed with the board on July 12, 1939, an application for approval of Medusa White Portland Cement, Medusa White Waterproofed Portland Cement, Medusa Gray Portland Cement and Medusa Gray Waterproofed Portland Cement as manufactured by the applicant at York, Pa., for use in New York City, pursuant to Section C26-312.0 C.1 of the Administrative Code (7.1.1.7.3 BC).

This material was tested in the presence of a representative of the committee on tests at the applicant's laboratory at York, Pa.

A record of the supply of raw materials filed with the board indicates that consistently homogeneous raw materials are available for at least fifty years.

Flow sheets have been filed indicating the method of manufacture of this product.

Samples of these materials were tested in accordance with the requirements of Federal Specifications SS-C-191a, pursuant to the methods prescribed in Federal Specifications SS-C-158 with the following results:

MEDUSA PORTLAND CEMENT COMPANY
(York Mill)
Physica' Tests
REGULAR GRAY CEMENT

As Tested	Federal Spec. SS-C-191a	A.S.T.M. Spec.
Surface Area 1640 Sq. Cm. Gm.....	1500	—
Soundness OK	Sound	Sound

MINUTES

Initial Set (Gilmore)	Not less than	Not less than
3 hrs. 15 min.....	60 min.	45 min.
Final Set (Gilmore)	Not more than	Not more than
6 hrs. 00 min.....	10 hrs.	10 hrs.
Compressive Strength:		
(Average of 5 Specimens—lbs. per sq. inch)		
Age 3 days 1900.....	900	—
Compressive Strength:		
(Average of 6 Specimens—lbs. per sq. inch)		
Age 7 days 2913.....	1800	—
Age 28 days 4858.....	3000	—
Tensile Strength:		
(Average of 5 Specimens—lbs. per sq. inch)		
Age 3 days 313.....	175	—
Tensile Strength:		
(Average of 6 Specimens—lbs. per sq. inch)		
Age 7 days 382.....	275	275
Age 28 days 452.....	350	350

CHEMICAL ANALYSIS

	<i>As Analyzed</i>	<i>Not more than</i>	<i>Not more than</i>
SiO ₂	20.52	—	—
Al ₂ O ₃	5.55	7.50	—
Fe ₂ O ₃	3.45	6.00	—
CaO	62.93	—	—
MgO	4.62	5.00	5.00
SO ₃	1.72	2.00	2.00
Loss on ignition	0.87	3.00	4.00
Ins. Residue	0.18	0.75	0.85

COMPOUNDS

C ₃ S	52.99
C ₂ S	18.92
C ₃ A	8.85
C ₄ AF	10.49
CaSO ₄	2.92

MEDUSA PORTLAND CEMENT COMPANY (York Mill)

Physical Tests

WATERPROOFED WHITE CEMENT

	<i>Federal Spec.</i>	<i>A.S.T.M.</i>
<i>As Tested</i>	<i>SS-C-191a</i>	<i>Spec.</i>
Surface Area		
1612 Sq. Cm. Gm.....	1500	—
Soundness OK	Sound	Sound
Initial Set (Gilmore)	Not less than	Not less than
3 hrs. 30 min.....	60 min.	45 min.
Final Set (Gilmore)	Not more than	Not more than
6 hrs. 30 min.....	10 hrs.	10 hrs.
Compressive Strength:		
(Average of 5 Specimens—lbs. per sq. inch)		
Age 3 days 1860.....	900	—
Compressive Strength:		
(Average of 6 Specimens—lbs. per sq. inch)		
Age 7 days 2329.....	1800	—
Age 28 days 4092.....	3000	—
Tensile Strength:		
(Average of 5 Specimens—lbs. per sq. inch)		
Age 3 days 286.....	175	—

Tensile Strength:

(Average of 6 Specimens—lbs. per sq. inch)

Age 7 days 308.....	275	275
Age 28 days 385.....	350	350

CHEMICAL ANALYSIS

As Analyzed Not more than Not more than

SiO ₂	22.20	—	—
Al ₂ O ₃	6.27	7.50	—
Fe ₂ O ₃	0.35	6.00	—
CaO	64.68	—	—
MgO	2.60	5.00	5.00
SO ₃	1.63	2.00	2.00
Loss on ignition	2.22	3.00	4.00
Ins. Residue	0.23	0.75	0.85

COMPOUNDS

C ₃ S	47.05
C ₂ S	28.22
C ₃ A	16.03
C ₄ AF	1.06
CaSO ₄	2.77

Percentage Waterproofing Compound—1.81

MEDUSA PORTLAND CEMENT COMPANY (York Mill)

Physical Tests

REGULAR WHITE CEMENT

	<i>Federal Spec.</i>	<i>A.S.T.M.</i>
<i>As Tested</i>	<i>SS-C-191a</i>	<i>Spec.</i>
Surface Area		
1888 Sq. Cm. Gm.....	1500	—
Soundness OK	Sound	Sound
Initial Set (Gilmore)	Not less than	Not less than
3 hrs. 30 min.....	60 min.	45 min.
Final Set (Gilmore)	Not more than	Not more than
6 hrs. 15 min.....	10 hrs.	10 hrs.
Compressive Strength:		
(Average of 5 Specimens—lbs. per sq. inch)		
Age 3 days 2302.....	900	—
Compressive Strength:		
(Average of 6 Specimens—lbs. per sq. inch)		
Age 7 days 2975.....	1800	—
Age 28 days 4663.....	3000	—
Tensile Strength:		
(Average of 5 Specimens—lbs. per sq. inch)		
Age 3 days 281.....	175	—
Tensile Strength:		
(Average of 6 Specimens—lbs. per sq. inch)		
Age 7 days 371.....	275	275
Age 28 days 416.....	350	350

CHEMICAL ANALYSIS

As Analyzed Not more than Not more than

SiO ₂	22.64	—	—
Al ₂ O ₃	6.31	7.50	—
Fe ₂ O ₃	0.33	6.00	—
CaO	64.77	—	—
MgO	2.78	5.00	5.00
SO ₃	1.74	2.00	2.00
Loss on ignition	1.49	3.00	4.00
Ins. Residue	0.20	0.75	0.85

MINUTES

COMPOUNDS

C ₃ S	43.46
C ₂ S	32.20
C ₃ A	16.17
C ₃ AF	1.00
CaSO ₄	2.96

MEDUSA PORTLAND CEMENT COMPANY (York Mill)

Physical Tests

WATERPROOFED GRAY CEMENT

<i>As Tested</i>	<i>Federal Spec. SS-C-191a</i>	<i>A.S.T.M. Spec.</i>
Surface Area 1592 Sq. Cm. Gm.....	1500	—
Soundness OK	Sound	Sound
Initial Set (Gillmore) 3 hrs. 15 min.....	Not less than 60 min.	Not less than 45 min.
Final Set (Gillmore) 6 hrs. 15 min.....	Not more than 10 hrs.	Not more than 10 hrs.
Compressive Strength: (Average of 5 Specimens—lbs. per sq. inch) Age 3 days 1530.....	900	—
Compressive Strength: (Average of 6 Specimens—lbs. per sq. inch) Age 7 days 1896..... Age 28 days 3721.....	1800 3000	— —
Tensile Strength: (Average of 5 Specimens—lbs. per sq. inch) Age 3 days 274.....	175	—
Tensile Strength: (Average of 6 Specimens—lbs. per sq. inch) Age 7 days 357..... Age 28 days 445.....	275 350	275 350

CHEMICAL ANALYSIS

<i>As Analyzed</i>	<i>Not more than</i>	<i>Not more than</i>
SiO ₂	20.20	—
Al ₂ O ₃	5.66	7.50
Fe ₂ O ₃	3.30	6.00
CaO	62.63	—
MgO	4.09	5.00
SO ₃	1.92	2.00
Loss on ignition	1.71	3.00
Ins. Residue	0.21	0.75

COMPOUNDS

C ₃ S	53.07
C ₂ S	17.94
C ₃ A	9.41
C ₄ AF	10.03
CaSO ₄	3.26

Percentage Waterproofing Compound—1.92

This material is shipped in cloth and paper bags and in bulk.

As a result of these tests it is accordingly recommended that Medusa White Portland Cement and Medusa Gray Portland Cement, as manufactured by the applicant at York, Pa., be approved for use in New York City, pursuant to Section C26-312.0 C-1 of the Administrative Code (7.1.1.7.3 BC) and also that Medusa White Waterproofed Portland Cement and Medusa Gray Waterproofed Portland Cement, as manufactured by the applicant at York, Pa., be given

a tentative approval, pending the promulgation of the Waterproof Cement Rules, on condition that notarized monthly reports of mill tests be filed with the board and that all bags be stamped, labelled or marked "Approved for use in New York City by the Board of Standards and Appeals under Cal. 940-39-SM" and when shipped in bulk, its bill of lading be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Medusa White Portland Cement, Medusa White Waterproofed Portland Cement, Medusa Gray Portland Cement, Medusa Gray Waterproofed Portland Cement, on condition that the material be manufactured and labelled, stamped or tagged in accordance with above report.

1178-39-SM.

APPLICANT—F. E. Berry, Jr. and Co., Inc., owner.
SUBJECT—Berry-Cel Mineral Acoustical Tile, approval of.

APPEARANCES—

For Applicant: Paul F. Hand and Lawrence M. Steiner.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1178-39-SM)

WHEREAS, the F. E. Berry, Jr. and Co., owner, filed September 26, 1939, an application with the Board of Standards and Appeals for approval of their acoustical material known as Berry-Cel Acoustical Tile; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

RE: CAL. 1178-39-SM

Subject: Berry-Cel Mineral Acoustical Tile

The F. E. Berry, Jr. and Co. of Everett, Mass., filed on September 26, 1939, a request with the Board of Standards and Appeals for the approval of their acoustical material under C26-88.0 (1.80) C26-178.0 par. b (2.1.2.5) and C26-191.0 (2.2.3).

This non-hygroscopic acoustical material is manufactured by the applicant at their plant located in Everett, Mass. It is made in tile form from powdered limestone talcum and silicate of soda to which is added a frothing agent and then mechanically whipped so that the mixture entrains air, sufficiently, so as to increase the original volume of the mixture threefold. The mixture is then placed in moulds and so dried as to retain the whipped up porosity after which it is removed, surfaced and sized as required. This tile in the finished state is waterproof and washable since the silicate of soda and the limestone talcum form a rigid porous tile. Where specific colors are required the proper mineral pigments are mixed in with the batter before placing in moulds for drying and produces a

MINUTES

tile of uniform color throughout, thus eliminating the necessity for painting.

FIRE TEST

This material comprised of inorganic materials is concededly incombustible. Tests conducted at the Bureau of Standards, Test No. T.P. 3610-1060, FR 1066 in accordance with the requirements of Federal Specification SS-T-302 Acoustic Tile wherein the tile was subjected to a fire test in accordance with the "Columbia" time temperature curve for a period of forty minutes (the time necessary for an incombustible material rating) showed that during the test no flaming or flashes of flame was produced by the material in the acoustical tile and accordingly it was rated as an incombustible material.

SOUND ABSORPTION TEST

A further test made at the Bureau of Standards Report VI-2/Tu-86102 wherein the H runners used with this tile (weighing 2.57 p.s.f.) were fastened to 2" x 4" s spaced 54" on centers and laid on the floor of the reverberation chamber, with a space of 4" back of the tile. The results of this test were as follows:

Frequency (Cycles/sec)	Coefficient of Sound Absorption
128	.26
256	.66
512	.90
1024	.77
2048	.88
4098	.91
Noise Coefficient	
.80	

This material meets the requirements of Fed. Spec. SS-T-302 for sound absorption wherein the coefficient of sound absorption at 128 cycles (.26) is not less than $\frac{1}{8}$ of that at 512 cycles (.113) and the coefficient at 2048 cycles (.88) is not less than $\frac{3}{4}$ that at 512 (.675) and that the noise coefficient meets the requirements of a Class R material as provided for in that specification.

Berry-Cel Tile is applied on a special metal runner system consisting of 20 ga. galvanized iron splines and 20 ga. iron runners which are attached to pulin irons 4 ft. on centers furnished by others. The tile is grooved on four sides, on two sides the splines are fitted, and on the other two sides a filler strip of the same material is inserted.

On the basis of this data and tests results, the committee on tests recommends the approval of Berry-Cel Acoustical Tile as an incombustible material C26-88.0 (1.80) and as an acoustical material under C26-178.0 par. b (2.1.2.5) and C26-191.0 (2.2.3) Administrative Building Code, when made and installed as provided for herein. It is further recommended that each box or crate of this material be tagged, labelled or marked: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 1178-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Berry-Cel Acoustical Tile, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

Adjourned, 11:15 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 3, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

366-32-BZ.

APPLICANT—Aaron A. Roth, for the Estate of Sarah Cook Montague, owner, Joseph E. Montague and George M. Thomson, executors.

SUBJECT—Application reopened September 12, 1939, re extension of permit—re Application (decision of the superintendent of buildings) previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the maintenance of a motor vehicle repair shop for a temporary period.

PREMISES AFFECTED—1385-1395 Webster avenue, west side, 772.49 ft. north of East 169th street (Block No. 2887, Lot Nos. 151 to 155, inclusive), Borough of The Bronx.

APPEARANCES—

For Applicant: Aaron A. Roth.

For Opposition: None.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(366-32-BZ)

WHEREAS, John A. Larkin, for Rockhurst Realty Corp., owner, filed June 20, 1932, an application, under the building zone resolution, to permit in a business use district the maintenance of a motor vehicle repair shop; premises: 1385-1395 Webster avenue, west side, 772.49 ft. north of East 169th street (Block No. 2887, Lot Nos. 151 to 155, inclusive), Borough of The Bronx; and

WHEREAS, this application was granted by the board December 2, 1932, on certain conditions and owner requested an extension of the permit; and

WHEREAS, this application was reopened on September 12, 1939, by vote of the board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 3, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted December 2, 1932, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted on condition that the use conducted on the premises shall be that of motor vehicle repair work, restricted to light motor vehicle repairs; that any machinery used in the conduct of the business shall be limited to electrically-driven machines, not more than one-half horsepower each; that no forges or anvils or open flames shall be permitted on the premises; further, that the non-conforming use herein permitted shall be limited to a period of five years from the date of this amended resolution; that the non-conforming use shall be limited to existing buildings and the two stores only therein, located at No. 1387 and No. 1389 Webster avenue."

MINUTES

736-38-BZ.

APPLICANT—Reinhard and Hofmeister, for Rockefeller Center, Inc., lessee (The Trustees of Columbia University in the City of New York, owner).

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings) under section 7g of the building zone resolution, permitting in a retail use district, the erection and maintenance of a building to be occupied as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: H. M. Schley.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(736-38-BZ)

WHEREAS, Francis T. Christy, for Rockefeller Center, Inc., lessee, and The Trustees of Columbia University in the City of New York, owner, filed August 16, 1938, an application under the building zone resolution to permit in a retail use district, the erection and maintenance of a building to be occupied as a garage for more than five (5) motor vehicles and offices; premises: 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan; and

WHEREAS, this application was granted by the board October 4, 1938, on certain conditions, plans approved December 6, 1938, resolution amended May 23, 1939, and applicant requested a further amendment.

Resolved, that the resolution adopted by the board on October 4, 1938, as amended by resolution adopted December 6, 1938, and May 23, 1939, be and it hereby is amended, only so far as it has reference to the sprinkler system, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 7g thereof, to permit that portion of the proposed building to be used as a non-storage garage, as indicated on plans filed with this application, together with the space shown as a proposed bus terminal, on condition that there shall be no bus terminal on the premises or any entering or exiting of buses on the premises; that the portion of the building used for a non-storage garage shall be protected with a 2-source sprinkler system consisting of a connection to the street main on each street front which need not exceed 6 inches in diameter and standpipe system and shall be separated from all other parts of the building by fire-proof construction; that the sprinkler heads may be omitted at the entrances for a distance from the entrance doors not exceeding 12 ft.; that in addition, such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that the exterior of the building shall be, as represented, in conformity as to design and exterior materials with the adjacent buildings of Rockefeller Center; that the present permitted parking use granted under Cal. No. 487-37-BZ shall be terminated upon the commencement of excavation for this proposed building; that at all times during the operation of the garage, there shall be an attend-

ant stationed on 49th street and one on 48th street, to direct the entering and exiting of automobiles; that only automobiles of the pleasure-car type shall be stored in the garage; that there shall be no storage of gasoline within this portion of the building, except in the tanks of the cars and no servicing or repairing of motor vehicles; that the garage area shall be ventilated throughout with a supply and exhaust system of ventilation to provide not less than four changes of air per hour; that prior to filing complete working drawings with the borough superintendent, such plans shall be submitted to the board for examination and for the imposition of any additional conditions as may be deemed necessary; that such plans shall be submitted within six months and all permits shall be obtained and all work completed within one year after plans are approved by the board, as in compliance with the terms of the resolution as it may be amended; that the Board of Standards and Appeals does hereby approve the plans filed in connection with this application as being in accordance with the resolution of the board adopted October 4, 1938.

"Resolved, further, that in the event the owner desires to construct two additional waiting rooms on the 1st story, one located adjacent to Column No. 32 and one adjacent to Columns 28, 29 and 40, such additional waiting rooms may be constructed substantially as shown on plans marked 'Received September 18, 1939,' and 'September 28, 1939'; that signs shall be restricted to permanent signs attached to the garage on the West 49th street side and the West 48th street side, as indicated on plans marked 'Received October 3, 1939,' on condition that signs to be erected on West 49th street shall not extend beyond the building line; that the signs to be erected on West 48th street may extend beyond the building line for a distance of not over 11 ft. and shall consist only of the word 'Garage,' and including two such signs attached to the building and extending at right angles; that the letters of such signs shall not exceed 2 ft. in height."

APPEALS FROM ADMINISTRATIVE DECISIONS

980-39-A.

APPLICANT—J. Nelson Cooper, for Kew Gardens Storage Warehouse, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—93-30 Van Wyck boulevard, west side, 62 ft. north of 94th Avenue (Block No. 522, Lot No. 14), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: J. Nelson Cooper.

For Administration: Joseph Ferro, Dept. of Housing and Buildings and Thomas A. Larkin, Fire Dept.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P.M., for further consideration by the board.

1024-39-A.

APPLICANT—Seacoast Laboratories, Inc. (lessee), for Estate of Franklin S. Clark, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—156-158 Perry street, south side, 60 ft. west of Washington street (Block No. 637, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: B. E. Vroman.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P.M., for inspection by a committee of the board.

1037-39-A.

APPLICANT—The Korfund Company, Inc., owner.

MINUTES

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: S. Rosenzweig.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Laid over to October 17, 1939, at 2 P.M., for inspection by a committee of the board.

1058-39-A.

APPLICANT—Lomis Realty Corporation, owner (First Avenue Bathing Corporation, lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—24 First Avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Benjamin Liebling.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Laid over to October 17, 1939, at 2 P.M., on request of applicant's representative.

1111-39-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer for Alfred Rader, Acting Borough Superintendent, for Department of Housing and Buildings, Borough of Brooklyn.

OWNER OF PREMISES — William Crystal and Anna Crystal (Samuel Budoff, lessee).

SUBJECT—Application for the revocation of certificate of occupancy 66349 and permit 11430-31.

PREMISES AFFECTED — 545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Owner: Benjamin Chester and Irene Ofgang.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P.M., on request of representative of attorney for owner.

1117-39-A.

APPLICANT—Louis Di Spalatro, for Louis Di Spalatro and John Di Spalatro, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—181-14 Kildare road, south side, 99.96 ft. east of Surrey place (Block No. 7232, Lot No. 13), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Louis Di Spalatro and Sam J. Glaherson.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P.M., for additional information from Building Department. No further argument.

1126-39-A.

APPLICANT—Jack Z. Cohen, for Bessie Blum, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—975 East 9th street, east side, 140 ft. north of Avenue "J" (Block No. 6522, Lot No. 56), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P.M., to take matter up with building department.

1144-39-A.

APPLICANT—Henry C. Brucker, for Otto Gehn, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—703 Fairview avenue and 202 Palmetto street, southeast corner (Block No. 3489, Lot No. 1), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P.M.

1150-39-A-WF.

APPLICANT—Austin W. Magee, for Winter Realty and Construction Co., owner (Kalamazoo Stove and Furnace Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 134-24 Northern boulevard, south side, 123 ft. west of Prince street (Store No. 6); (Block No. 4976, Lot No. 36), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Laid over to October 10, 1939, at 2 P.M.

960-39-A.

APPLICANT—Lama and Proskauer, for Anna C. Schauf, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—21-25 Lenox road, north side, 166 ft. east of Flatbush avenue (Block No. 5064, Lot No. 106), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn to take matter up with building department.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

1193-39-A.

APPLICANT—Crow, Lewis and Wick, for St. Vincent's Hospital of the City of New York, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1 to 19, inclusive, Seventh avenue, east side, from West 11th street to West 12th street, 143 to 157, inclusive, West 11th street and 148 to 178, inclusive, West 12th street (Block No. 607, Lot Nos. 1, 67 and 68), Borough of Manhattan.

APPEARANCES—

For Applicant: L. H. Lewis and George A. Hartung.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

MINUTES

909-39-A.

APPLICANT—William H. Warnecke, for Peter Doelger, Inc., owner (John A. Schwarz, Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: W. J. Cousins.

For Administration: Thomas A. Larkin, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Absent 0

THE RESOLUTION—

(909-39-A)

WHEREAS, William H. Warnecke, for Peter Doelger, Inc., owner (John A. Schwarz, Inc., lessee), filed June 30, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 166-01 to 166-03 Jamaica avenue, northeast corner of 166th street (Block No. 867, Lot No. 19), Jamaica, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 990-LF, dated July 28, 1938, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers throughout the building having at least one source of water supply, arranged and equipped as provided in Art. 16, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated June 16, 1939; and

WHEREAS, the building is 3 stories (35 ft.) in height, 50 ft. by 100 ft. in area, located in a business use district, erected in 1900 and occupied as a furniture store; and

WHEREAS, the applicant contends that the building was altered for the present use in 1925; that adequate exits have been provided; that the merchandise stored in the cellar is mainly non-inflammable; that the cellar is divided by masonry wall protected with self-closing fireproof doors; that the boiler room is fully enclosed in masonry; that ample aisle space is provided; that the lessee only has two years to remain on the premises under the lease, which will not be renewed; that to comply with the order at this time, will be a hardship as the cost of the sprinkler system would not be returned by reduction in insurance premium over two years.

Resolved, that the order of the fire commissioner, No. 990-LF, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

924-39-A.

APPLICANT — Allen E. Rogers Laboratories, Inc., for Bertha A. Nebel, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—72-76 Grand avenue, west side, 120 ft. north of Park avenue (Block No. 892, Lot No. 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Allen E. Rogers.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(924-39-A)

WHEREAS, Allen E. Rogers Laboratories, Inc., for Bertha A. Nebel, owner, filed July 6, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 72-76 Grand avenue, west side, 120 ft. north of Park avenue (Block No. 892, Lot No. 48), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Misc. Applic. No. 1647-39, dated April 13, 1939, reads:

"1. Metal buildings containing inflammables to be located at least 15 ft. from lot line. Sec. 4.2.1 Building Code."

and

WHEREAS, the proposed building will be one story (8 ft.) in height, 10 ft. by 10 ft. in area, of Class 5 construction, located in an unrestricted use district and occupied for the storage of inflammables, as directed by the board in acting under Cal. No. 960-38-A; and

WHEREAS, the applicant contends that in an effort to comply with the requirements of the board under Cal. No. 960-38-A, an application for the proposed building was filed; that due to the size of the plot it is impossible to erect a building 15 ft. from any building line; that in view of these facts a modification is requested, so as to permit the erection of the building as proposed.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 1647-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the steel building shall be erected not nearer the lot line than 2 ft.; that there shall be no openings in same facing the lot line; that in all other respects all laws, rules and regulations shall be complied with, including the requirements of the resolution adopted by the board under Cal. No. 960-38-A.

983-39-A.

APPLICANT—Sperry Gyroscope Co., Inc., lessee, for Gair Realty Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—40-58 Washington street, 35-53 Main street, 73-95 Front street and 88-110 Water street (9th floor, Bldg. No. 6); (Block No. 37, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul A. Wright and Charles W. Olsen.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(983-39-A)

WHEREAS, Sperry Gyroscope Co., Inc., lessee, for Gair Realty Corporation, owner, filed July 19, 1939, an appeal from an order of the fire commissioner, affecting premises 40-58 Washington street, 35-53 Main street, 73-95 Front street, 88-110 Water street (9th floor, Bldg. No. 6), (Block No. 37, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 80475-LC, dated June 26, 1939, reads:

"1. Reduce the storage of gasoline on 9th floor to not more than 5 gallons, to be stored in an approved safety can. C19-51.0-b-5, OR

Provide an approved underground storage system for the storage of volatile inflammable oil, (gasoline). Plans and specifications to be filed with the Department of Housing and Buildings. Installation to be supervised

MINUTES

and tank tested by a representative of the Division of Combustibles. C19-51.0."

and

WHEREAS, the building is 12 stories (168 ft.) in height, 199 ft. by 245 ft. and 200 ft. by 242 ft. 6 in. in area, of fireproof construction, located in an unrestricted use district, erected in 1913 and occupied: basement—storage of boards—2 persons; 1st floor—public space; 2nd floor—vacant; 3rd floor—printing—50 persons; 4th floor—storage of printed forms in steel cabinets—20 persons; 5th floor—same—2 persons; 6th floor—manufacture of mirrors—20 persons; 7th floor—printing—7 persons; 8th floor—manufacture of paper specialties—4 persons; 9th and 10th floors—testing motor units and search lights—80 persons; and

WHEREAS, the applicant contends that the 9th and 10th floors are used for assembling and testing of apparatus of a confidential nature for the Army and Navy; that government contracts stipulate that the apparatus be tested, and that as part of the test motor units connected with high power searchlights are tested; as these motors are gasoline driven, it is necessary to store gasoline on the premises; that 5 gallons of gasoline is required for each unit; that the gasoline will be stored in a vault constructed of fireproof materials, approximately 14 ft. by 20 ft. in area, equipped with a fireproof door and a 12 inch vent pipe leading to the outer air and thence to the roof; that the storage room is equipped with vaporproof lights and a vaporproof switch, as shown on plans filed with this appeal; that the gasoline is stored in two 55 gallon drums and syphoned directly from the drum under air pressure to a 50 gallon portable tank and then transported to the motor units to be tested; that it would be impractical to comply with the order, as it would necessitate carrying the suction and return lines to the 9th story through portions of the building leased to other tenants.

Resolved, that the order of the fire commissioner, No. 80475-LC, be and it hereby is *modified* and that the appeal be and it hereby is granted, permitting the storage of not over two 55 gallon drums of gasoline, provided same are used solely for purposes as set forth and are stored in a fireproof storage room to be constructed as proposed; that a vent pipe leading from such room to the outer air and above the roof shall be provided with a wind-driven ventilator at the top; that gasoline taken from these drums for the purpose of testing units, shall be placed in an approved portable tank or approved 5 gallon safety cans; that such filling shall be by means of a hand pump attached to the drum, such drum to be as approved for such use by the Underwriters Laboratories of the Factories Association Mutual Laboratories.

998-39-A.

APPLICANT—Du-Ev Products Company, Inc., for Greenpoint Trading Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—628-630 Driggs avenue, southwest corner of North Fourth street (Block No. 2352, Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Theodore Spindel.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE RESOLUTION—

(998-39-A)

WHEREAS, Du-Ev Products Company, Inc., for Greenpoint Trading Corporation, owner, filed on July 27, 1939, an appeal from an order of the fire commissioner, affecting premises 628-630 Driggs avenue, southwest corner North

Fourth street (Block No. 2352, Lot No. 20), Borough of Brooklyn; and

WHEREAS, Order No. 80552-LC, issued by the fire commissioner June 28, 1939, reads:

"1. Discontinue the manufacture of soap on the premises for the reason that Section C19-130 of the Administrative Code prohibits the manufacture of soap in a building which is occupied as a work shop, or factory except when such work shop or factory is incident to the business of the applicant.

2. Discontinue the storage of drum of savasol No. 4, an inflammable oil until an underground storage system is provided. ***

3. Have person in charge of the manufacture of an inflammable mixture apply for and secure a Certificate of Fitness. ***

5. Provide 4 metal sand pails of at least 10 quarts capacity. ***

6. Provide a separate compartment for the mixing tank, said compartment to be built upon suitable foundations, having the walls, floor and roof constructed of Portland cement concrete at least 6 in. thick or of brick constructed of Portland cement concrete at least 6 in. thick or of brick masonry at least 8 in. thick, the brick to be laid in and covered by Portland cement mortar. Said compartment to have self-closing fireproof doors and windows. ***

7. Provide a ventilating flue for compartment wherein mixing tank is located on 1st floor.

8. Submit a written statement to the Fire Department to the effect that the can or bottle containing inflammable mixture ('Du Heavy Duty Battery Bakelite Seal') will bear the number of original permit or Certificate of Approval.

9. Provide a label or inscription on can or bottle containing the inflammable mixture 'Du-Heavy Duty Bakelite Seal' stating the name and address of the manufacturer, the number of the original permit or Certificate of Approval issued by the Fire Commissioner and in large letters the words 'CAUTION INFLAMMABLE MIXTURE DO NOT USE NEAR FIRE OR FLAME.' "

and

WHEREAS, the building is 3 stories (35 ft.) in height, 50 ft. by 65 ft. in area, equipped with a sprinkler system; located in an unrestricted use district; erected in 1899 and occupied: Basement, Chromium Plating, 2 persons; 1st floor—printing and mfg. of maintenance products, 6 persons; 2nd floor—dress mfg., 6 persons; 3rd floor—coat mfg., 7 persons; and

WHEREAS, the applicant contends that the soap manufactured is a water emulsion soap compound composed of vegetable fatty acids, which are non-inflammable and non-explosive; that the Savasol No. 4 is now used for diluting varnish, which carries a flashpoint of 80° that it is proposed to change to Savasol No. 5 for this purpose; that the mixing tank consists of a steam kettle with a suction blower over it, used solely for the manufacture of a water emulsion wax; that there is nothing inflammable that goes into the mixing kettle; that no bottled goods are sold on the premises; that everything is shipped in metal containers, and that there is adequate ventilation.

Resolved, that the order of the fire commissioner, No. 80552-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that at no time shall there be more than one drum of varnish having a flashpoint of less than 100° F. on the premises; that the thinning material shall be changed to Savasol No. 5 or equal, in place of Savasol No. 4; that the product shall be put up only in steel containers not less than 22 gauge and of varying sizes, but not less than 5 gallons; that the requirements as to labelling, caution wording and the name of the manufacture thereon, as required by the fire commissioner shall be complied with.

MINUTES

1003-39-A.

APPLICANT—W. Schier, for Charmouth Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—42-49 to 42-61 24th street and 24-01 to 24-15 43rd avenue, northeast corner (Block No. 429, Lot No. 3), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: W. Schier and Hiram S. Hall.

For Administration: Thomas A. Larkin, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(1003-39-A)

WHEREAS, W. Schier, for Charmouth Realty Corporation, owner, filed on July 27, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 42-49 to 42-61 24th street and 24-01 to 24-15 43rd avenue, northeast corner (Block No. 429, Lot No. 3), Long Island City, Borough of Queens; and

WHEREAS, Order No. 1718-LF, issued by the fire commissioner November 16, 1938, reads:

"4. Arrange the standpipe system to conform to the requirements of Article 17, Administrative Code of the City of New York and comply with the following orders:

C. Remove lever type quick emptying valve of emergency drain of standpipe tank and replace with an O. S. & Y. type valve.

D. Properly repair and paint top of gravity tank of standpipe system. C12-161.0 Administrative Code of the City of New York.

5. Arrange for a flow test by washing and cleaning of the standpipe system. Said test must be conducted in the presence of a representative of this Department and show 50 lbs. hydrostatic pressure in excess of working pressure of the system for half an hour."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated June 30, 1939; and

WHEREAS, the building is four and 5 stories (60 ft.) in height, 100 ft. by 140 ft. and 90 ft. by 150 ft. in area, of fireproof construction; equipped with standpipe and sprinkler systems; erected in 1924 and 1927; occupied: Cellar—boilerroom and storage; 1st floor—mfg. composition heels and smoking pipes, 20 persons; 2nd floor, mfg. same and storage; 30 persons; 3rd floor, mfg. furniture and metal rods, 20 persons; 4th floor, mfg. novelties, woodwork and repairing vacuum cleaners, 10 persons; 5th floor, mfg. screens, 5 persons; and

WHEREAS, the applicant contends that the 4,000 gallon gravity tank is unnecessary as the building is protected with two-source automatic sprinkler system, supplied by an 8-inch main on 24th street and an 8-inch main on 43rd avenue through 6-inch connections and two siamese connections; that the standpipe system can be converted to a dry-pipe system without a tank; that the building faces on two streets and is only 4 stories in height with an annex of 5 stories; that there are three fire-resistive stair enclosures with fire doors at all openings; that the high cost of maintaining the tank and heating the water to keep it from freezing will be a hardship on the owner.

Resolved, that the order of the fire commissioner, No. 1718-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler system shall be maintained to the satisfaction of the fire commissioner and that the standpipe system shall be maintained to the satisfaction of the fire commissioner as a

dry-pipe system without roof tank; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1021-39-A.

APPLICANT—Edward Necarsulmer, for Kayruth Holding Corporation, owner, (Alexander's Department Stores, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2948-2954 Third avenue, east side, 149.32 ft. north of East 152nd street and 639-647 Bergen avenue (Block No. 2362, Lot Nos. 44-47 and 65-68, inclusive), Borough of The Bronx.

APPEARANCES—

For Applicant: William Schoen.

For Administration: M. Thiede, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(1021-39-A)

WHEREAS, Edward Necarsulmer, for Kayruth Holding Corporation, owner (Alexander's Dept. Stores, Inc., lessee), filed on August 3, 1939, an appeal from a decision of the borough superintendent of buildings, affecting 2948-2954 Third avenue, east side, 149.32 ft. north of East 152nd street and 639-647 Bergen avenue (Block No. 2362, Lot Nos. 44-47 and 65-68, inclusive), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. 308-37, dated July 19, 1939, reads:

"1. Commercial buildings of Class 3 construction may not exceed 50 feet in height. C 26-254.0 Adm. Code."

and

WHEREAS, the building is 1, 2, 4 and 5 stories in height, 100 ft. by 186 ft. in area, of Class 3 construction; equipped with a standpipe and sprinkler system; located in business and unrestricted use districts and occupied: cellar—store, storage and boiler room, 153 persons; 1st floor, store, 240 persons; 2nd floor, store, 125 persons; 3rd floor, office and stockroom, 50 persons; 4th and 5th floors, storage—no persons; and

WHEREAS, it is proposed to alter the building so as to change it from a 5-story building to a 4-story building by rearranging the story heights and to occupy the building: cellar—store, storage and boiler room, 153 persons; 1st floor, store—400 persons; 2nd floor, store, 300 persons; 3rd floor, store and stock—250 persons; 4th floor, offices, 50 persons; and

WHEREAS, the applicant contends that the 5-story portion of the building, which is the only portion exceeding 50 ft. in height is only 50 ft. by 87 ft. in area, or about 23% of the entire plot; that the balance of the building is within the tabular height limit; that the alteration proposed consists of levelling the 2nd and 3rd floors with the floors of the portion of the building directly to the rear; the present top floor and roof level will not be disturbed.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 308-37 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be further increased in height; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1028-39-A.

APPLICANT—James Whitford, Jr., for Henderson Estates Company, owner.

MINUTES

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—147 Cassidy place, north side, 164.42 ft. east of Clinton avenue (Block No. 71, Lot No. 28), New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: James Whitford, Jr.

For Administration: Asst. Eng. Sternberg, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1028-39-A)

WHEREAS, James Whitford, Jr., for Henderson Estates Company, owner, filed on August 7, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 147 Cassidy place, north side, 164.42 ft. east of Clinton avenue (Block No. 71, Lot No. 28), New Brighton, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, dated July 31, 1939, on B.N. Applic. 490-39, reads:

"Your Application B.N. No. 490-1939, filed July 31, 1939, by James Whitford, Jr., architect, to convert a one-family frame dwelling to a school and caretaker apartment is hereby denied.

Conversion of a frame dwelling, exceeding one story in height and 600 square feet in area to a public building occupancy (school) is contrary to Section C26-254.0 (table of heights and area limits)."

and

WHEREAS, the building is 3 stories (36 ft. 6 in.) in height, 27 ft. 6 in. by 66 ft. in area at 1st floor, and 27 ft. 6 in. by 50 ft. in area above, of frame construction; located in a residence use district; erected in 1874; occupied as a one family dwelling; it is proposed to occupy the 1st floor as a day school, 40 persons; 2nd and 3d floors, apartment, 5 persons; and

WHEREAS, the applicant contends the 2nd and 3d floors will be occupied by the caretaker's apartment; that the building occupies only 8.7% of the lot; that the first floor is 3 ft. 6 in. above grade; that there are five direct exits from the 1st floor; that the building has been vacant for over a year and an opportunity to rent for the use proposed has been presented; that in view of the fact the pupils will occupy the ground floor only and then only during the day time and at all times will be under the competent supervision of teachers, a modification is requested.

Resolved, that the decision of the borough superintendent on B. N. Applic. No. 490-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the building to be occupied on the 1st floor only as a school and on the upper floor as a caretaker's apartment, *on condition* that the building shall not be increased in height or area; that the plot shall not be reduced; that the cellar ceiling shall be fire-retarded or protected with metal lath and plaster throughout; that at least one window on the westerly side shall have steps so as to provide exit to the yard; that this modification shall continue only so long as the building is occupied as herein proposed.

1035-39-A.

APPLICANT—Walter Motor Truck Company (lessee), for Louvie Realty Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1001-1019 Irving avenue, northwest corner of Covert street (Block No. 3539, Lot No. 1), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Frank Sweigart.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1035-39-A)

WHEREAS, Walter Motor Truck Company (lessee), for Louvie Realty Corporation, owner, filed on August 10, 1939, an appeal from an order of the fire commissioner, affecting premises 1001-1019 Irving avenue, northwest corner of Covert street (Block No. 3539, Lot No. 1), Ridgewood, Borough of Queens; and

WHEREAS, Order No. 80647-LC, issued by the fire commissioner, dated July 10, 1939, reads:

"1. Remove drums of Diesel Oil from the premises and discontinue the further storage of Diesel Oil on premises pending the installation of an approved storage system."

and

WHEREAS, the building is one and two stories (40 ft.) in height, 200 ft. by 330 ft. in area at 1st floor and 200 ft. by 20 ft. in area at 2nd floor; of Class 1 construction; equipped with standpipe and sprinkler systems; located in a business use district; erected in 1928; occupied: Cellar—boilerroom and storage, 2 persons; 1st floor—mfg. motor trucks and office, 80 persons; 2nd floor—storage, 40 persons; and

WHEREAS, the applicant contends that not more than four drums of No. 1 and No. 3 fuel oil are stored on the premises for the purpose of filling the tanks of trucks for delivery and test; that oil is transferred from these drums through a special device, preventing the fumes permeating the atmosphere or in any manner producing explosive vapor and requests the board's permission to continue the storage of four (4) drums of oil for Diesel engines, in view of the fireproof construction of the building and the sprinkler system now maintained.

Resolved, that the order of the fire commissioner, No. 80647-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that approved storage tanks shall be installed, complying with the requirements of the Oil Burner Rules of the Board of Standards and Appeals for the storage of oil as required, consisting of No. 1 and No. 3 oil; that there may be attached to such tank an approved pump, as approved for such use by the Underwriters Laboratories or the Associated Factories Mutual Laboratories with hose and self-closing nozzle for use in filling truck tanks.

1040-39-A.

APPLICANT—Times Appliance Co., Inc., for Midtown Hospital, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—309 East 49th street, north side, 125 ft. east of Second avenue (Block No. 1342, Lot Nos. 6-9), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius George Jay and Clarke Redfield.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

MINUTES

THE RESOLUTION—

(1040-39-A)

WHEREAS, Times Appliance Co., Inc., for Midtown Hospital, owner, filed August 14, 1939, an appeal from a decision re an order of the fire commissioner affecting premises 309 East 49th street, north side, 125 ft. east of Second avenue (Block No. 1342, Lot Nos. 6-9), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 17198-LC, issued by the fire commissioner May 12, 1939, reads:

"Discontinue the use of all refrigerating systems on the above premises that are not located in diet kitchen of hospital or located in a fireproof machinery room used for no other purposes and in which no open flame shall be employed:

NOTE: Applies to refrigerating machine in store room. (Hospital Cellar)

1 Kitchen in (hospital cellar) 4 lbs. F 12 (Westinghouse)

1 Kitchen in (hospital cellar) 4 lbs. F 12 (Segal)

1 Laboratory on (1st floor) 2 lbs. F 12 (Westinghouse)

1 Laboratory on (1st floor) 2 lbs. F 12 (Westinghouse)

1 Kitchen (1st floor) Nurses' Dining Room 6 lbs. F 12 (Westinghouse)

1 in closet (2nd floor) 4 lbs. F 12 (Westinghouse)

Applies also to Westinghouse machine in which refrigerating piping extends to milk cooling room in basement of hospital."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated July 21, 1939, and

WHEREAS, the building is 4 and 7 stories in height, 105 ft. by 100.5 ft. in area of fireproof construction, equipped with a standpipe system, located in a business use district, erected in 1929 and occupied as a hospital; and

WHEREAS, the applicant contends that the refrigerating equipment in question was installed in January, 1939; that the refrigerant used, F12, is much safer than those permitted; that four of the refrigerating machines in question are hermetically sealed; that as to the equipment that is not hermetically sealed, spaces in which this equipment is installed are adequately ventilated.

Resolved, that the order of the fire commissioner, No. 17198-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the mechanical ventilating system in the cellar shall be maintained to the satisfaction of fire commissioner; that the refrigerating units located on the 1st floor shall be in rooms enclosed with full height partition and with doors leading therefrom made reasonably tight fitting and with ventilation by means of a window to the outer air; that the refrigerating unit on the 2nd floor shall be enclosed in a room with full height partitions to the ceiling with all doors to such room made reasonably tight fitting and with a ventilating connection to the adjoining duct leading to the roof, such connection to be of an approved type of louvre, so constructed as to prevent a down draft; that in all other respects the requirements shall be complied with.

1053-39-A.

APPLICANT—William W. Knowles, for Benjamin H. Sweet, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings under section 35, General City Law re Bed of Mapped Streets.

PREMISES AFFECTED—165-18 South road, south side, 110.63 ft. east of 165th street (Highview avenue); (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Jacob I. Goodstein and William W. Knowles.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1053-39-A)

WHEREAS, William W. Knowles, for Benjamin H. Sweet, owner, filed August 18, 1939, an appeal from a decision of the borough superintendent of buildings for permission to erect a building in the bed of a mapped street pursuant to section 35 of the general city law, affecting premises 165-18 South road, south side, 110.63 ft. east of 165th street (Highview avenue); (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, dated August 14, 1939, on N.B. Application No. 6809-39 reads:

"Proposed erection of a building extending into a city street is contrary to Section 35 of Art. 3 of the General City Law."

and

WHEREAS, the premises consist of a plot 158.44 ft. by 892.36 ft. in area, upon which it is proposed to erect a building 1 and 2 stories (32 ft.) in height, 100 ft. by 500 ft. in area of fireproof construction, located in an unrestricted use district, to be occupied as a garage for the storage of more than 5 buses on the first story and offices and locker rooms on the second story; and

WHEREAS, a communication has been filed by the applicant, wherein the acting engineer in charge of the Topographical Bureau, Borough of Queens, states that 166th street, as proposed, between South street and 104th road is not shown on any property map and that it is proposed to submit the Alteration Map removing 166th street and 104th road from the final city map; and

WHEREAS, the applicant contends that the building will be erected for use by the North Shore Bus Company, serving the entire Borough of Queens; that an unusual site is required and the plot in question has the necessary area and central location.

Resolved, that the decision of the borough superintendent as to N.B. Application No. 6809-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers granted to the board by Section 35 of the General City Law, so as to permit the construction of the proposed bus garage building within the bed of 166th street and the installation of gasoline and fuel oil tanks, *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and that there shall be no openable windows or doors on the lot line wall to the west.

1055-39-A.

APPLICANT—John B. Reschke, for Fred Schultz, owner. SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—8 Opal court, south side, 40 ft. west of Madoc avenue (Block No. 7547, Lot No. 1865), Borough of Brooklyn.

APPEARANCES—

For Applicant: John B. Reschke.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

MINUTES

THE RESOLUTION—

(1055-39-A)

WHEREAS, John B. Reschke, for Fred Schultz, owner, filed August 18, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 8 Opal court, south side, 40 ft. west of Madoc avenue (Block No. 7547, Lot No. 1865), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on N.B. Application No. 1895-39, dated September 25, 1939, reads:

"1. Frame building to be constructed in the fire limits is contrary to 4.1.2 of Building Code."

and

WHEREAS, the proposed building will be one story (14 ft.) in height, 20 ft. by 30 ft. in area, on a lot 40 ft. by 45 ft. in area, of Class 4 construction, located in an undetermined use, "D" area district and occupied as a one family dwelling; and

WHEREAS, the applicant contends that the plot was formerly outside of suburban and fire limits; that the section is given over entirely to frame bungalows similar to that proposed in this appeal; that there are no established legal streets or grades and that in view of the nature of the character of the development, the strictly residential type of building surrounding the proposed structure, a modification is requested.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 1895-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall meet the requirements of the building code in all respects for a residence building constructed outside of the fire limits.

1063-39-A.

APPLICANT—Joseph Vinci, for Charles Oliva, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—44-10 Broadway, south side, 75 ft. west of 45th street (Block No. 707, Lot No. 38), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Vinci.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1063-39-A)

WHEREAS, Joseph Vinci, for Charles Oliva, owner, filed August 23, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 44-10 Broadway, south side, 75 ft. west of 45th street (Block No. 707, Lot No. 38), Astoria, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 1452-39, dated August 22, 1939, reads:

"1. The alteration to a frame building within the fire limits, to business use is contrary to section 4.1.2 Building Code."

and

WHEREAS, the building is 2 stories (26 ft. 3 in.) in height, 22 ft. by 49 ft. 9 in. in area at 1st floor and 22 ft. by 46 ft. in area at 2nd floor, of frame construction, erected in 1908, located in a business use district and occupied: 1st floor—dwelling—5 persons; 2nd floor—dwelling—5 persons; it is proposed to occupy the building: 1st floor—store—2 persons; 2nd floor—dwelling—5 persons; and

WHEREAS, the applicant contends it is proposed to improve the building by removing the present 1st story frame

walls and constructing new walls of brick for the proposed store; that the cellar ceiling will be fire-retarded and the store will be provided with a metal ceiling.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1452-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be extended further than as shown on plans filed herein; that the cellar ceiling throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the ceiling of the store shall be protected with metal; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1066-39-A.

APPLICANT—J. Nelson Cooper, for President and Directors of the Manhattan Company, owner (Montgomery, Ward and Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED — 93-41 170th street and 170-05 Douglas avenue, northeast corner (Block No. 1177, Lot No. 102), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: J. Nelson Cooper.

For Administration: Thomas A. Larkin, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1066-39-A)

WHEREAS, J. Nelson Cooper, for President and Directors of Bank of the Manhattan Company, owner (Montgomery, Ward and Co., lessees), filed on August 24, 1939, an appeal from an order and decision of the fire commissioner, affecting premises 93-41 170th street and 170-05 Douglas avenue, northeast corner (Block No. 1177, Lot No. 102), Jamaica, Borough of Queens; and

WHEREAS, Order No. 2717-LF, issued by the fire commissioner May 5, 1939, reads:

"1. Provide a separate and distinct system of automatic sprinklers throughout the entire building having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated August 24, 1939; and

WHEREAS, the building is 5 stories (57 ft.) in height, 78 ft. by 45 ft. in area; of nonfireproof construction; located in an unrestricted use district; erected in 1909 and occupied throughout for storage of household goods; and

WHEREAS, the applicant contends the exterior walls are 12 in. brick; that there are no window openings on the interior lot lines; that the street windows are of wood with plain glass; that floors are 3 in. by 12 in. joists with 1½ in. plank flooring; that the elevator hatchway is enclosed in 12 in. brick walls with tin-clad doors at openings.

Resolved, that the order of the fire commissioner, No. 2717-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the storage of furniture shall be kept away from all windows facing on 170th street and Douglas avenue for a distance of at least 3 ft. and that no furniture shall be stocked nearer to the ceiling than 18 in.; that the stairway throughout shall be enclosed in fire-retarding material; that an aisle centrally located shall be maintained through the center of the building for its full length, not less than 5 ft. in width; and *granted* only so long as the building is occupied as stated,

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as a furniture warehouse; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct.

1067-39-A.

APPLICANT—Realty Mortgage Corporation, for Marie G. Foote, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—70 South street, southwest corner of Depeyster street (Block No. 37, Lot No. 45), Borough of Manhattan.

APPEARANCES—

For Applicant: James R. Darcy.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(1067-39-A)

WHEREAS, Realty Mortgage Corporation, for Marie G. Foote, owner, filed on August 24, 1939, an appeal from an order and decision of the fire commissioner, affecting premises 70 South street, southwest corner of Depeyster street (Block No. 37, Lot No. 45), Borough of Manhattan; and

WHEREAS, Order No. 4661-LF, issued by the fire commissioner April 20, 1939, reads:

"1. Provide approved fireproof windows or iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said opening and which are not more than 50 ft. above a neighboring roof at north side of building, or other approved protection. 491a2-2.0 Adm. Code."

and

WHEREAS, the said order was referred to in decisions of the fire commissioner dated July 10, 1939, and August 16, 1939; and

WHEREAS, the building is 5 stories (53 ft.) in height, 26 ft. 1 in. by 60 ft. 2 in. in area; of Class 3 construction; located in an unrestricted use district; erected over 25 years ago; occupied: cellar—vacant; 1st floor—store—6 persons; 2nd floor—office, 6 persons; 3rd, 4th and 5th floors vacant; and

WHEREAS, the appellant contends that the building faces on DePeyster street which is 22 feet wide; that the buildings causing the exposure are on the opposite side of DePeyster street and all openings in said buildings are protected with galvanized iron or metal shutters which are kept closed at all times; that a caretaker is maintained in the building in question.

Resolved, that the order of the fire commissioner, No. 4661-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the walls of the building on the opposite side of Depeyster street causing the exposure, shall have shutters on all openings kept closed at all times.

1069-39-A.

APPLICANT—George Gross, for Gross Morton Jamaica Estates Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED — 73-04, 73-08 and 73-12 184th street, southwest corner of 73rd avenue and west side of 184th street, 48.24 ft. and 88.24 ft. south of 73rd avenue (Block No. 7171, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred Gross.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(1069-39-A)

WHEREAS, George Gross, for Gross Morton Jamaica Estates Corporation, owner, filed on August 28, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 73-04, 73-08 and 73-12 184th street, southwest corner 73rd avenue and west side of 184th street, 48.24 ft. and 88.24 ft. south of 73rd avenue (Block No. 7171, Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. Applic. Nos. 9956-38, 6181-39 and 6182-39, dated August 25, 1939, read:

"1. The erection of a frame dwelling in the fire limits is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 100.87 ft. on 73rd avenue and 128.24 ft. on 184th street, which it is proposed to divide into three separate lots and to erect on each lot a one-family frame dwelling and private garage. One dwelling will be 27 ft. by 42 ft. in area, 1 story in height; one dwelling will be 23 ft. by 26 ft. in area, 2 stories in height and one dwelling will be 27 ft. by 24 ft. in area, 2 stories in height; of frame construction; located in a business and residence use, "D" area district; and

WHEREAS, the applicant contends that the area is rural in character and no business structure is within considerable distance of the proposed dwellings; that the use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon would constitute a detriment and eyesore to the neighborhood for many years to come, for the plot may never have any commercial value; that since the applicant does not own the street for its entire length, it is impossible in a short time to obtain any change of zone; that it is unwise to leave an undeveloped fringe of business property surrounding a residential community.

Resolved, that the decisions of the borough superintendent on N.B. Applic. Nos. 9956-38, 6181-39 and 6182-39, be and they hereby are *modified* and that the appeal be and it hereby is *granted* to permit the erection of the residential buildings as proposed, *on condition* that each building shall be for residential purposes only, limited in occupancy to one family and shall comply with the zoning requirements for an "F" area district, except that the building to be erected on the corner may have a side yard set back from 73rd avenue of not less than 8 ft.; that the interior side yards shall be not less than 4 ft., into which a chimney breast may extend for a distance of not over two ft.; that the height of the building may exceed 18 ft. to the plate line, provided the height up to that point is not in excess of 25 ft.; that the first story of the building shall be of masonry veneer; that the roof shall be surfaced with natural slate and that interior bearing partitions may be as permitted outside the fire limits; that a private garage may be constructed for each house and for not more than two cars for the use and accommodation of the residents on the plot; that said garage shall be constructed in conformity with the dwelling on same plot; that any windows less than 3 ft. from the plot line shall be glazed with metal frames and made self-closing.

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1070-39-A.

APPLICANT—George Gross, for Gross Morton Jamaica Estates Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—73-03, 73-07 and 73-11 184th street, southeast corner of 73rd avenue and east side of 184th street, 42.17 ft. and 84.17 ft. south of 73rd avenue (Block No. 7172, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred Gross.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1070-39-A)

WHEREAS, George Gross, for Gross-Morton Jamaica Estates Corporation, owner, filed on August 25, 1939, an appeal from decision of the borough superintendent of buildings, affecting premises 73-03, 73-07 and 73-11 184th street, southeast corner of 73d avenue and east side of 184th street, 42.17 ft. and 84.17 ft. south of 73rd avenue (Block No. 7172, Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. App. Nos. 6183-39, 6184-39 and 6185-39, dated August 25, 1939, read:

"1. The erection of a frame building in the fire limits is contrary to section 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot fronting 126.17 ft. on 184th street and 96.34 ft. on 73rd avenue; located in business and residence use "D" area district, upon which it is proposed to erect three 1-story frame dwellings, 20 ft. in height, 27 ft. by 42 ft. in area and three private garages; and

WHEREAS, the applicant contends that the area is rural in character and that the use of the street for business purposes is impracticable.

Resolved, that the decisions of the borough superintendent on N.B. Applic. Nos. 6183-39, 6184-39 and 6185-39, be and they hereby are *modified* and that the appeal be and it hereby is *granted* to permit the erection of the residential buildings as proposed, *on condition* that each building shall be for residential purposes only, limited in occupancy to one family and shall comply with the zoning requirements for an "F" area district, except that the building to be erected on the corner may have a side yard set back along 73rd avenue of not less than 10 feet; that the interior side yards shall be not less than 5 feet, into which a chimney breast may extend for a distance of not over two feet; that the height of the building may exceed 18 feet to the plate line, provided the height up to that point is not in excess of 25 feet; that the first story of the building shall be of masonry veneer; that the roof shall be surfaced with natural slate and that interior bearing partitions may be as permitted outside the fire limits; that a private garage may be constructed for each house and for not more than two cars for the use and accommodation of the residents on the plot; that said garage shall be constructed in conformity with the dwelling on same plot; that any windows less than 3 feet from the plot line shall be glazed with metal frames and made self-closing.

1071-39-A.

APPLICANT—George Gross, for Gross Morton Jamaica Estates Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—73-04, 73-08 and 73-12 185th street, southwest corner of 73rd avenue and west side of 185th street, 49.77 ft. and 90 ft. south of 73rd avenue (Block No. 7172, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred Gross.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1071-39-A)

WHEREAS, George Gross, for Gross Morton - Jamaica Estates Corporation, owner, filed on August 28, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 73-04, 73-08 and 73-12 185th street, southwest corner 73rd Avenue and west side of 185th street, 49.77 ft. and 90 ft. south of 73rd avenue (Block No. 7172, Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. Application Nos. 6595-39, 6606-39 and 6602-39, dated August 17, 1939, read:

"1. The erection of a frame bldg. within the fire limits is contrary to Section 4.1.2 Bldg. Code." and

WHEREAS, the premises consist of a plot fronting 131.27 ft. on 185th street, 98.84 ft. on 73rd avenue, which it is proposed to subdivide into three separate lots and to erect thereon two 2-story and one 1-story frame one-family dwellings and three private garages; located in business and residence use, "D" area, district; and

WHEREAS, the applicant contends that the area is rural in character and that the erection of business buildings is impracticable.

Resolved, that the decisions of the borough superintendent on N.B. Applic. Nos. 6595-39, 6606-39 and 6602-39, be and they hereby are *modified* and that the appeal be and it hereby is *granted* to permit the erection of the residential buildings as proposed, *on condition* that each building shall be for residential purposes only, limited in occupancy to one family and shall comply with the zoning requirements for an "F" area district, except that the building to be erected on the corner may have a side yard along 73rd avenue not less than 12 feet in width; and that the interior side yards shall be not less than 4 feet into which a chimney breast may extend for a distance of not over two feet; that the height of the building may exceed 18 feet to the plate line, provided the height up to that point is not in excess of 25 feet; that the first story of the building shall be of masonry veneer; that the roof shall be surfaced with natural slate and that interior bearing partitions may be as permitted outside the fire limits; that a private garage may be constructed for each house and for not more than two cars for the use and accommodation of the residents on the plot; that said garage shall be constructed in conformity with the dwelling on same plot; that any windows less than 3 feet from the plot line shall be glazed with metal frames and made self-closing.

1073-39-A.

APPLICANT — Frank V. Laspia, for Angelo Ferrara, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

MINUTES

PREMISES AFFECTED—14 Herbert street, south side, 123 ft. east of Graham avenue (Block No. 2830, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Augusta.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1073-39-A)

WHEREAS, Frank V. Laspia, for Angelo Ferrara, owner, filed August 28, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 14 Herbert street, south side, 123 ft. east of Graham avenue (Block No. 2830, Lot No. 6), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. 2885-39, dated August 22, 1939, reads:

"Change in occupancy from one family to two families in frame building with living rooms on more than two (2) floors is contrary to Section 2.1.3.5 and Section 8.7.2.1. Proposition denied."

and

WHEREAS, the building is 3 stories (31 ft.) in height, 20 ft. 6 in. by 24 ft. in area, of frame construction; located in a business use district; occupied as one family dwelling; it is proposed to occupy: 1st and 2nd floors, one family; 3rd floor, one family; and

WHEREAS, the applicant contends that the owner has great hardship in maintaining the one family occupancy on three floors; that fire escapes will be provided for the 3rd story occupancy and an affidavit will be filed limiting the occupancy to two families.

Resolved, that the decision of the acting borough superintendent, on Alt. Applic. No. 2885-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the building to be occupied by not over two families, one occupying the 1st and 2nd floors and one occupying the 3rd floor, *on condition* that the building shall not be increased in height or area; that there shall be no openings in the side walls along the lot line; that there shall be a second means of exit constructed from the 3rd story, which may be a steel exterior fire-escape or a steel ladder reaching to the roof of the existing extension and thence by means of a drop or counterbalanced ladder to grade; that an agreement, signed by the owner, shall be filed with the acting borough superintendent of buildings stating that at no time will the building be occupied by more than two families; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1102-39-A.

APPLICANT—Hampton Cafeteria (lessee), for 650 Madison Avenue Corporation, owner.

SUBJECT—Appeal from an order and a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—634 Madison avenue, west side, 25 ft. north of East 59th street (Block No. 1374, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0
Absent 0

THE RESOLUTION—

(1102-39-A)

WHEREAS, Hampton Cafeteria (lessee), for 650 Madison Avenue Corporation, owner, filed September 6, 1939, an appeal from an order and a decision of the acting borough superintendent of buildings, affecting premises 634 Madison avenue, west side, 25 ft. north of East 59th street (Block No. 1374, Lot No. 14), Borough of Manhattan; and

WHEREAS, the order of the borough superintendent, Viol. No. 5903-38, dated July 6, 1939, reads:

"You will please take notice that there exists a violation of Section B26-7.0 of the Administrative Code, at the premises hereinafter described, in that of maintaining an electric sign at the first story parallel with the front wall and extending about 2 in. beyond the building line, contrary to law."

and

WHEREAS, said order was referred to in a decision of the acting borough superintendent, dated August 31, 1939; and

WHEREAS, the building is 2 stories (32 ft.) in height, 200 ft. by 95 ft. and 108 ft. in area, of Class 1 construction, equipped with a standpipe system, erected in 1933, located in a restricted retail district and occupied: cellar—storage; 1st floor—stores and theatre; 2nd floor—offices; and

WHEREAS, the applicant contends that the present lessee purchased the fixtures and fittings of the store in question, which is occupied as a restaurant; that the sign in question was included having been erected by a previous tenant in 1933; that the only change made in the sign is a change in the lettering on both ends of the sign, so as to substitute the name of the present for that of the previous tenant; that the size of the letters was not increased; that to remove the sign would be a hardship.

Resolved, that the decision of the borough superintendent of buildings, dated August 31, 1939, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the sign does not extend beyond the building line for a distance of more than 2 in. at any point; that in all other respects it shall meet the requirements therefor.

1118-39-A.

APPLICANT—William F. R. Ballard, Chief Architect, for Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 41-01 and 41-02 10th street, super block bounded by 41st avenue, 12th street, 41st road and 10th street (Block Nos. 465 and 466, Lot No. 35), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: W. F. R. Ballard and Allan S. Harrison.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1118-39-A)

WHEREAS, William F. R. Ballard, Chief Architect for Queensbridge Project Associated Architects, for New York City Housing Authority, owner, filed on September 7, 1939, an appeal from a decision of the borough superintendent

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of buildings, affecting premises 41-01 and 41-02 10th street, super block bounded by 41st avenue, 12th street, 41st road and 10th street (Block Nos. 465 and 466, Lot No. 35), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. 6536-38, dated August 31, 1939, reads:

"1. Garage in multiple dwelling must be referred to Board of Standards and Appeals for their approval. Section 60 M.D.L."

and

WHEREAS, the proposed building will be 6 stories (55 ft. 5½ in.) in height, 159 ft. 3¾ in. by 99 ft. 3⅞ in. in area, of fireproof construction; located in an unrestricted use district; to be occupied: Cellar—garage for 5 cars, utility-room and incinerator; 1st to 6th floors—Class A multiple dwelling; and

WHEREAS, the applicant contends that the garage portion of the building will be constructed in accordance with Section 60 of the M.D. Law; that a ventilating system will be installed to provide at least four changes of air per hour, independent of any other ventilating system; that nine ½ in. sprinkler heads will be provided connected to the existing house water system; that the sprinkler heads will be not more than 12 ft. on centers nor more than 6 ft. from any wall; that the garage will be used by resident members of the management staff for the storage of three passenger cars.

Resolved, that the decision of the borough superintendent on N.B. Applic. 6536-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the garage shall in all respects meet the requirements of Section 60 of the Multiple Dwelling Law, except that the sprinkler system may be installed as proposed, connected with the domestic water supply system of the building.

1120-39-A.

APPLICANT—Rieger and Albert, for Jacob Rieger, owner (B. Burstein, Inc., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—554 Broome street, north side, 154 ft. 2 in. west of Sixth avenue (Block No. 491, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Maurice L. Albert.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(1120-39-A)

WHEREAS, Rieger and Albert, for Jacob Rieger, owner (B. Burstein, Inc., lessee), filed September 8, 1939, an appeal from an order of the fire commissioner, affecting premises 554 Broome street, north side, 154 ft. 2 in. west of Sixth avenue (Block No. 491, Lot No. 28), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 18486-LC, issued August 10, 1939, reads:

"Before a permit may be issued for the storage of combustible fibre, the following must be done:

1. Provide an approved fire extinguishing system, for instance, an automatic sprinkler system. Administrative Code C19-149.0, C4, Art. 26."

and

WHEREAS, the building is 5 stories (58 ft.) in height, 25 ft. by 81 ft. 4 in. in area at 1st floor, 25 ft. by 77 ft. 4 in. in area at typical floor level, of Class 3 construction, located in an unrestricted use district, erected in 1907 and occupied: Cellar—storage of wool clippings, 0 persons; 1st

floor—office and shipping, 2 persons; 2nd floor— storage of wool clippings, 0 persons; 3rd floor—storage of wool clippings, 0 persons; 4th floor—storage of wool clippings and baling, 0 persons; 5th floor—sorting of wool clippings, 3 persons; and

WHEREAS, the applicant contends that the building is equipped with an interior iron stairs from the cellar to the roof, enclosed up to the 4th floor; that there is a Labor Law fire-escape on the front of the building; that the fibre stored in the building at no time exceeds 15 tons and consists of new wool clippings which will not support combustion; that there are no loose clippings stored on the premises; that the total occupancy of the building is small; that in view of the construction of the building, the means of egress and the fact that only wool clippings are stored, a modification is requested.

Resolved, that the order of the fire commissioner, No. 18486-LC, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

1124-39-A.

APPLICANT—Cafiero and Lacerenza, for American Law Book Co., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—393-403 Gold street, east side, 54 ft. 11 in. north of Willoughby street, 137-149 Willoughby street and 266-280 Flatbush avenue extension (Block No. 2060, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Lacerenza.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1124-39-A)

WHEREAS, Cafiero and Lacerenza, for American Law Book Co., owner, filed on September 12, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 393-403 Gold street, east side, 54 ft. 11 in. north of Willoughby street, 137-149 Willoughby street and 266-280 Flatbush avenue extension (Block No. 2060, Lot No. 41), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, re Amend. Applic. 3156-39, dated September 7, 1939, reads:

"1. Standpipe system required as per Sec. 16.1.1 subd. 3 and proposed amend. to omit installation called for on original permit is hereby denied."

and

WHEREAS, the building is three stories (40 ft.) in height, 115 ft. by 132 ft. 2 in., irregular, in area; Class 1 construction, erected in 1919; located in an unrestricted use district; occupied: cellar, printing office, boiler room and storage, 7 persons; 1st floor, office, shipping room and store, 24 persons; 2nd floor, office, 42 persons; 3rd floor, office, 41 persons; it is proposed to increase the number of persons: cellar, 20 persons, and upper floors 80 persons per story; and

WHEREAS, the applicant contends that it is proposed to construct a new 3-story extension, making the total gross area of existing and new building 12,442 sq. ft. net area of the building 10,880 sq. ft. at typical floor; that the first and cellar stories will be subdivided in small areas as shown on plans; that the entire building will be occupied by one tenant; that in view of the slight excess in net area, the fact that the building is limited to three stories in

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height, faces on three streets and that it could have been erected of Class 3 construction, that it has 17 two-and-a-half gallon chemical extinguishers and two 15-gallon emergency bucket tanks, that the proximity of three high pressure and one low pressure street hydrants directly opposite the building, a modification is requested, so as to be permitted to omit the standpipe system.

Resolved, that the decision of the acting borough superintendent, acting on amendment to Alt. Applic. No. 3156-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the building shall not be further increased in height or area; that the existing partitions shown on plans filed shall be maintained and *granted* only so long as the building is occupied as proposed; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1134-39-A.

APPLICANT—Jack Z. Cohen, for Lea Shiffman, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—6914-6918 Fifth avenue, west side, 102 ft. 8½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(1134-39-A)

WHEREAS, Jack Z. Cohen, for Lea Shiffman, owner, filed on September 15, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 6914-6918 Fifth avenue, west side, 102 ft. 8½ in. south of Bay Ridge avenue (Block No. 5873, Lot Nos. 48 and 49), Borough of Brooklyn; and

WHEREAS, the decisions of the acting borough superintendent on Alt. Application Nos. 2184-39 and 2185-39, dated September 13, 1939, read:

"1. Proposed conversion of mixed occupancy buildings to business buildings, is subject to compliance with the Building Code as to exit requirements, floor construction to support live load of 75 lbs. per sq. ft., fire retarding of cellar ceiling and cellar stair enclosure, exits from boiler rooms, thickness of enclosure walls, etc."

and

WHEREAS, the buildings are 1 and 3 stories (32 ft.) in height, 41 ft. 2 in. by 80 ft. in area at 1st floor, 41 ft. 2 in. by 56 ft. in area above; located in a business use district; erected in 1909 and occupied as follows:

No. 6914 Fifth Avenue

Present Occupancy:	Proposed Occupancy:
Cellar—ordinary	Cellar—same.
1st floor—stores	1st floor—same.
2nd floor—one family	2nd floor — storage of light toys.
3rd floor—one family	3rd floor — storage of light toys and caretaker's apartment.

No. 6918 Fifth Avenue

Present Occupancy:

Proposed Occupancy:

Cellar—storage	Cellar—same.
1st floor—store	1st floor—same.
2nd floor—storage of light toys and baby carriages	2nd floor—same.
3rd floor—one family	3rd floor — storage of light toys.

and

WHEREAS, Certificate of Occupancy No. 55145 was issued February 27, 1929, for No. 6918 Fifth avenue, permitting the following use and occupancy: Cellar—storage of stock; 1st floor, store, 120 lbs. live load—2 persons; 2nd floor, storage of light toys and baby carriages, 40 lbs. live load, one person; 3rd floor—one family, 40 lbs. live load; and Certificate of Occupancy No. 67309 was issued April 29, 1932, for No. 6914 Fifth avenue, permitting the following use and occupancy: Cellar—ordinary; 1st floor—stores; 2nd floor, one family; 3rd floor, one family; the live load is omitted; and

WHEREAS, the applicant contends that the occupant, who is the owner of both buildings, desires to use the upper floor apartments for the storage of light toys in conjunction with the present store on the 1st floor; that stairways in both buildings will be maintained and fire escapes have been provided; that cellar ceilings have been fire retarded; that the proposed storage of light toys on upper floors will not exceed 40 lbs. per superficial foot; that since the total area of both buildings on upper floors is only 2300 sq. ft. and buildings are only 32 ft. in height, and to be occupied by one tenant for the storage of non-hazardous merchandise, the modification is respectfully requested; and

WHEREAS, the board deemed that the decision of the acting borough superintendent should be complied with.

Resolved, that the decision of the acting borough superintendent in acting on Alt. Application Nos. 2184-39 and 2185-39, dated September 13, 1939, be and it hereby is *affirmed* and the appeal be and it hereby is *denied*.

1143-39-A.

APPLICANT—Herman M. Cohn, for Olga Carme and Marcello Carme, owners.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1721 Fowler avenue, west side, 200 ft. south of Morris Park avenue (Block No. 4094, Lot No. 11), Borough of The Bronx.

APPEARANCES—

For Applicant: Herman M. Cohn.

For Administration: M. Thiede, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1143-39-A)

WHEREAS, Herman M. Cohn, for Olga Carme and Marcello Carme, owners, filed September 18, 1939, an appeal from a decision of the acting borough superintendent of buildings affecting premises 1721 Fowler avenue, west side, 200 ft. south of Morris Park avenue (Block No. 4094, Lot No. 11), Borough of The Bronx; and

WHEREAS, the decision of the acting borough superintendent, dated September 13, 1939, on Alteration Application 498-39, reads:

"1. Living rooms prohibited above 2nd floor in a two family frame dwelling. Sec. 8.7.2.1 Building Code."

and

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WHEREAS, the building is two stories and attic (26 ft.) in height, 20 ft. by 56 ft. in area at first floor, of frame construction, in a residence use, "C" area district, erected in 1923 and occupied: Cellar—storage and boiler room; first floor—dwelling, 1 family; 2nd floor—dwelling, 1 family; attic—storage; it is proposed to occupy as follows: Cellar—same; 1st floor—same; 2nd floor—same; attic—dwelling in conjunction with 2nd floor; total, 2 families throughout; and

WHEREAS, the applicant contends that it is proposed to use the attic to accommodate the family of the owner; no bath room or kitchen will be provided and 2nd floor and attic will be occupied exclusively by the owner and his family and that a balcony fire-escape will be provided as a second means of egress.

Resolved, that the decision of the acting borough superintendent, acting on Alt. Applic. 498-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the building to be occupied by not more than two families, one family on the first floor, one on the second floor and attic, *on condition* that there shall be no cooking carried on in the attic; that there shall be a second means of exit provided, which may be by means of an exterior fire escape or ladder from the level of the attic floor to grade with a fixed or counterbalanced ladder; that an agreement signed by the owners, shall be filed with the acting borough superintendent; that at no time shall the building be occupied by more than two families; that the building shall not be increased in height or area.

1147-39-A.

APPLICANT—Vitale Della Penna, for Mary Reda, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—411 Faile street, west side, 100 ft. north of East Bay avenue (Block No. 2772-A, Lot No. 59), Borough of The Bronx.

APPEARANCES—

For Applicant: Vitale Della Penna.

For Administration: M. Thiede, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1147-39-A)

WHEREAS, Vitale Della Penna, for Mary Reda, owner, filed September 19, 1939, an appeal from a decision of the acting borough superintendent of buildings affecting premises 411 Faile street, west side, 100 ft. north of East Bay avenue (Block No. 2772-A, Lot No. 59), Borough of The Bronx; and

WHEREAS, the decision of the acting borough superintendent dated September 13, 1939, on Alteration Application 483-39 reads:

"1. Proposed frame extension inside the fire limits to frame building that was erected contrary to the original C. O. Application No. 1164/1928, which was approved for a one-story terra cotta block dwelling, is contrary to Sec. 4-1-2 of the Code."

and

WHEREAS, the building is one story (16 ft.) in height, 25 ft. 10 in. by 38 ft. 6 in. in area, of frame construction on a lot 50 ft. by 100 ft. in area, located in an unrestricted use district, erected in 1928 and occupied as a one family dwelling; and

WHEREAS, applicant contends that the area is undeveloped; that the buildings in the area are generally of frame construction; that the present owner purchased the building ignorant of the fact that it was built in violation of the approved plans.

Resolved, that the decision of the acting borough superintendent on Alt. Applic. 483-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be further increased beyond the dimensions shown on plans filed herein; that the lot shall not be reduced; that the building shall be occupied solely as a one-family dwelling and that Certificate of Occupancy No. 1164-28 issued July 28, 1928, shall be corrected.

1148-39-A.

APPLICANT—Stanley H. Klein, for Nathan Friedman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—67-141 Burns street, north side, 381.60 ft. east of Yellowstone boulevard (Block No. 3234, Lot No. 90), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Stanley H. Klein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1148-39-A)

WHEREAS, Stanley H. Klein, for Nathan Friedman, owner, filed September 19, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 67-141 Burns street, north side, 381.60 ft. east of Yellowstone boulevard (Block No. 3234, Lot No. 90), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 18, 1939, on Alteration Application 1955-1939, reads:

"Reconsideration on objection No. 2 denied (converting a portion of a frame dwelling to a business use is contrary to the building code)."

and

WHEREAS, the building is two stories (22 ft.) in height, 18 ft. by 34 ft. in area, of Class 3 and Class 4 construction, erected in 1927, in a business use, "D" area district and occupied as a one family dwelling, proposed to be occupied: Cellar—boiler, storage and laundry; 1st floor—store; 2nd floor—dwelling; and

WHEREAS, the applicant contends that it is proposed to construct a 12 ft. by 18 ft. extension at the front of the first story, of Class 3 construction and to occupy the front portion of the story as a store; that a new hall partition will be constructed of material having a one hour fire rating; that store ceiling will be surfaced with metal lath and $\frac{3}{4}$ inch cement plaster; that floor space under the front frame wall of second floor will be fire retarded with 4 in. rock wool and supported on steel, and that the cellar ceiling will be fire retarded throughout.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1955-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1155-39-A.

APPLICANT—Mac L. Reiser, for Harriet Johnston, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—363A 12th street, north side, 167 ft. 7 in. east of Sixth avenue (Block No. 1024, Lot No. 76), Borough of Brooklyn.

APPEARANCES—

For Applicant: Mac L. Reiser.

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For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1155-39-A)

WHEREAS, Mac L. Reiser, for Harriet Johnston, owner, filed September 20, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 363A 12th street, north side, 167 ft. 7 in. east of Sixth avenue (Block No. 1024, Lot No. 76), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated September 19, 1939, on Alteration Application 3139-39 reads:

"Frame building over 2 stories in height to be converted from one to two families is contrary to 8.7.2.1 of the Building Code."

and

WHEREAS, the building is 2 stories and basement (29 ft.) in height, 16 ft. 8 in. by 34 ft. in area of frame construction, erected about 1875 and located in a residence use "C" area district, occupied as one family dwelling; it is proposed to occupy the building: Cellar, storage; basement and first floor, 1 family; 2nd floor, 1 family; total, two families throughout; and

WHEREAS, the applicant contends the basement story walls are entirely of brick, leaving only two stories of frame construction; that the building has less than 8 livable rooms per family and will not be increased in height or area; that there are no structural changes involved; that the only work proposed is the installation of a sink and tub and the installation of a gas range for cooking purposes.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. 3139-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the building to be occupied by not more than two families, *on condition* that in all other respects the building shall meet the requirements of the Building Code therefor; that the building shall not be extended in height or area; that a second means of exit shall be maintained from the second or top story, which may be by means of an exterior fire escape or ladder leading directly to grade by means of a fixed or counterbalanced ladder; that an agreement, signed by the owner, shall be filed with the borough superintendent, that at no time shall the building be occupied by more than two families.

1179-39-A.

APPLICANT—William Hyman, for Harman Building Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED — 58-01 to 58-17 186th street, southeast corner of 58th avenue (Block No. 1421, Lot No. 65), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William Hyman.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1179-39-A)

WHEREAS, William Hyman, for Harman Building Corporation, owner, filed on September 25, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 58-01 to 58-17 186th street, southeast corner of 58th avenue (Block No. 1421, Lot No. 65), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Application Nos. 7727-39 to 7731-39, dated September 20, 1939, reads:

"The erection of a frame building in the fire limits is contrary to Sec. 4.1.2 of the Building Code. Not further considered."

and

WHEREAS, the premises consist of a plot fronting 100 ft. on 58th avenue and 200 ft. on 186th street, which it is proposed to subdivide into five 40 ft. lots and to erect thereon five (5) one and two story one-family dwellings and five private garages; the plot is located in an unrestricted use, "D" area district; and

WHEREAS, the applicant contends that relief is requested similar to that granted by the board under Cal. Nos. 674-39-a and 675-39-a; that it is the intention of the owner to file a declaration of restriction covering all the property owned by it for use as residential property only.

Resolved, that the decision of the borough superintendent on N.B. Applic. Nos. 7727-39 to 7731-39, inclusive, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of frame buildings, as proposed, substantially as shown on N.B. applications filed with the borough superintendent, *on condition* that the occupancy of the buildings shall be limited to residential occupancy of one-family each; that the buildings shall comply with the requirements of the "F" area district, except that the side yard on the corner plot shall be not less than 9 feet and that the other side yards shall be not less than 5 feet, provided the distance between the houses in no case is less than 10 feet; that chimney breasts may extend into the said side yards for a distance of not more than 2 ft.; that any garages erected on the premises shall be not nearer than 1 ft. to either side lot or rear lot line; that the residence buildings and garages shall be veneered with masonry to the height of the 1st story; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that in all other respects the building shall comply with the requirements for residential buildings outside the fire limits.

1180-39-A.

APPLICANT — William Hyman, for Harman Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 58-02 to 58-18 186th street, southwest corner of 58th avenue (Block No. 1421, Lot No. 65), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William Hyman.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1180-39-A)

WHEREAS, William Hyman, for Harman Building Corporation, owner, filed on September 25, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 58-02 to 58-18 186th street, southwest corner of 58th avenue (Block No. 1421, Lot No. 65), Flushing, Borough of Queens; and

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WHEREAS, the decision of the borough superintendent on N.B. Application Nos. 7732-39 to 7736-39, dated September 20, 1939, reads:

"The erection of a frame building in the fire limits is contrary to Section 4.1.2 of the Building Code (not further considered)."

and

WHEREAS, the premises consist of a plot fronting 100 ft. on 58th avenue, 200 ft. on 186th street, which it is proposed to subdivide into five 40 ft. lots and to erect thereon five (5) one and two-story one-family dwellings and five private garages; the plot is located in an unrestricted use, "D" area district; and

WHEREAS, the applicant contends that relief is requested similar to that granted by the board under Cal. Nos. 674-39-A and 675-39-A; that it is the intention of the owner to file a declaration of restriction covering all the property owned by it for use as residential property only.

Resolved, that the decision of the borough superintendent on N.B. Applic. Nos. 7732-39 to 7736-39, inclusive, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of frame buildings, as proposed, substantially as shown on N.B. applications filed with the borough superintendent, *on condition* that the occupancy of the buildings shall be limited to residential occupancy of one-family each; that the buildings shall comply with the requirements of the "F" area district, except that the side yard on the corner plot shall be not less than 10 feet and that the other side yards shall be not less than 5 feet, provided the distance between the houses in no case is less than 10 feet; that chimney breasts may extend into the said side yards for a distance of not more than 2 feet; that any garages erected on the premises shall be not nearer than 1 foot to either side lot or rear lot line; that the residence buildings and garage shall be veneered with masonry to the height of the 1st story; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that in all other respects the building shall comply with the requirements for residential buildings outside of the fire limits.

1185-39-A.

APPLICANT—Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner. (U.S. Housing Project N. Y. 5-3).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—Entire block, bounded by Gouverneur, Madison, Jackson and Water streets (Buildings 1 to 18, inclusive); (Block No. 260, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry L. C. Gall, Allan S. Harrison and W. F. R. Ballard.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1185-39-A)

WHEREAS, Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner, filed on September 27, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting the entire block bounded by Gouverneur, Madison, Jackson and Water Streets (Block No. 260, Lot No. 1, Bldg. Nos. 1 to 18, Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on N.B. Application 128-39, dated September 12, 1939, reads:

"Receipt is acknowledged of your letter of September 8, 1939, requesting permission to use 1½ inch fibre board or cork board insulation on the concrete roof slabs of the buildings of the Vladeck Housing Project to be erected by the New York City Housing Authority under the new building application numbers given above.

In reply please be advised that Section 10.3.1 of the Building Code requires cork or fibre insulation board to be covered by not less than 1½-inch Portland cement concrete.

While the reasons you give for omission of this concrete are logical and weighty, this Department has no authority to make any variations in the requirements of the Building Code. Therefore your application for permission to lay 1½ inch thick fibre or cork board insulation on the roofs of the above buildings without covering the same with 1½ ins. of Portland cement concrete, as required by the rules of the Board of Standards and Appeals, and by section 10.3.1 of the Building Code is hereby denied."

and

WHEREAS, the 18 buildings affected will be six stories in height each; of Class I construction; located in a retail and residence use "E" area district and occupied throughout as Class A multiple dwellings; and

WHEREAS, it is proposed to use an approved fibre board or cork board insulation over the fireproof roof deck, such insulation to be covered with 4-ply 65 lb. felt with tar and 300 lbs. slag or 400 lbs. of gravel finish. The roof slab will have a minimum thickness of 4½ inches. The insulating material will be laid in a bed of hot pitch of not less than 40 lbs. per hundred sq. ft. coverage. Felt stops will be provided to isolate areas of board approximately 400 sq. ft. each and to prevent penetration of moisture from adjacent areas. The roofing surface will be applied over the insulating material by a uniform coat of hot coal tar pitch, using not less than 40 lbs. per 100 sq. ft.; and

WHEREAS, the applicant contends that if the 1½ inch cement protection is required, the dead load will be increased by 18 lbs. per sq. ft., requiring additional reinforcement in the roof slab and in the columns, thus increasing the dead load of construction with no gain in safety as far as the tenants are concerned; that the protection of the insulating material with 1½ inches of concrete, as required by the Administrative Building Code, will not add to the fire protection of the buildings in question or the adjoining buildings; that all buildings in this project are Class I construction and no further need is seen for protection of the insulating material, as such additional protection will create unnecessary expense and not add to the safety of the structure.

Resolved, that the decision of the acting borough superintendent of buildings on N.B. Applic. No. 128-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the top mopping shall be 50% in excess of the regular requirements and the protecting slag not less than 450 lbs. per square.

1186-39-A.

APPLICANT—Shreve, Lamb, and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner (U.S. Housing Project N. Y. 5-3).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—345M to 367M Madison street, north side, 95.79 ft. east of Scammel street through to Henry street (Buildings 19 and 20); (Block No. 267, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry L. C. Gall, Allan S. Harrison and W. F. R. Ballard.

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For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1186-39-A)

WHEREAS, Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner, filed on September 29, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 345M to 367M Madison street, north side, 95.79 ft. east of Scammel street, through to Henry street (Block No. 267, Lot No. 24, Bldgs. 19 and 20, Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on N.B. Applic. 129-39, dated September 12, 1939, reads:

"Receipt is acknowledged of your letter of September 8, 1939, requesting permission to use 1½ in. fibre board or cork board insulation on the concrete roof slabs of the buildings of the Vladeck Housing Project to be erected by the New York City Housing Authority under the new building application numbers given above.

In reply please be advised that Section 10.3.1 of the Building Code requires cork or fibre insulation board to be covered by not less than 1½ in. Portland cement concrete.

While the reasons you give for omission of this concrete are logical and weighty, this department has no authority to make any variations in the requirements of the Building Code. Therefore your application for permission to lay 1½ in. thick fibre or cork board insulation on the roofs of the above buildings without covering the same with 1½ ins. of Portland cement concrete, as required by the rules of the Board of Standards and Appeals, and by section 10.3.1 of the Building Code is hereby denied."

and

WHEREAS, the buildings will be 6 stories (52.79 ft.) in height, 178.42 ft. by 58.21 ft. in area each, of Class 1 construction, located in a retail and residence use, "D" area district; occupied throughout as Class A multiple dwellings; and

WHEREAS, it is proposed to use an approved fibre board or cork board insulation over the fireproof roof deck, such insulation to be covered with 4-ply 65 lb. felt with tar and 300 lbs. of slag or 400 lbs. of gravel finish. The roof slab will have a minimum thickness of 4½ inches. The insulating material will be laid in a bed of hot pitch of not less than 40 lbs. per hundred sq. ft. coverage. Felt stops will be provided to isolate areas of board approximately 400 sq. ft. each and to prevent penetration of moisture from adjacent areas. The roofing surface will be applied over the insulating material by a uniform coat of hot coal tar pitch, using not less than 40 lbs. per 100 sq. ft.; and

WHEREAS, the applicant contends that if the 1½ in. cement protection is required, the dead load will be increased by 18 lbs. per sq. ft., requiring additional reinforcement in the roof slab and in the columns, thus increasing the dead load of construction with no gain in safety as far as the tenants are concerned; that the protection of the insulating material with 1½ in. of concrete, as required by the Administrative Building Code will not add to the fire protection of the buildings in question or the adjoining buildings; that all buildings in this project are Class 1 construction and no further need is seen for protection of the insulating material, as such additional protection will create unnecessary expense and not add to the safety of the structure.

Resolved, that the decision of the acting borough superintendent of buildings, on N.B. Applic. No. 129-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the top mopping shall be 50% in excess of the regular requirements and the protecting slag not less than 450 lbs. per square.

1187-39-A.

APPLICANT—Shreve, Lamb, and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner (U.S. Housing Project N. Y. 5-3).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED — 14J to 22J Jackson street, northeast corner of Monroe street and south side of Madison street (Buildings 22 and 24); (Block No. 265, Lot Nos. 1 and 2), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry L. C. Gall, Allan S. Harrison and W. F. R. Ballard.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1187-39-A)

WHEREAS, Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for N. Y. City Housing Authority, owner, filed on September 27, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 14J to 22J Jackson street, northeast corner Monroe street and south side of Madison street (Block No. 265, Lot Nos. 1 and 2, Bldgs. No. 22 and 24 Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on N.B. Application Nos. 130-39 and 130A-39, dated September 12, 1939, reads:

"Receipt is acknowledged of your letter of September 8, 1939, requesting permission to use 1½-inch fibre board or cork board insulation on the concrete roof slabs of the buildings of the Vladeck Housing Project to be erected by the New York City Housing Authority under the new building application numbers given above.

In reply please be advised that Section 10.3.1 of the Building Code requires cork or fibre insulation board to be covered by not less than 1½-inch Portland cement concrete.

While the reasons you give for omission of this concrete are logical and weighty, this Department has no authority to make any variations in the requirements of the Building Code. Therefore your application for permission to lay 1½ in. thick fibre or cork board insulation on the roofs of the above buildings without covering the same with 1½ ins. of Portland cement concrete, as required by the rules of the Board of Standards and Appeals, and by section 10.3.1 of the Building Code is hereby denied."

and

WHEREAS, the buildings will be six stories (51.70 ft.) in height, 178.42 ft. by 58.21 ft. in area; of Class I construction; located in a retail and residence use, "D" district; to be occupied throughout as a Class A multiple dwelling; and

WHEREAS, it is proposed to use an approved fibre board or cork board insulation over the fireproof roof deck, such insulation to be covered with 4-ply 65-lb. felt with tar and 300 lbs. of slag or 400 lbs. of gravel finish. The roof

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slab will have a minimum thickness of 4½ inches. The insulating material will be laid in a bed of hot pitch of not less than 40 lbs. per hundred sq. ft. coverage. Felt stops will be provided to isolate areas of board approximately 400 sq. ft. each and to prevent penetration of moisture from adjacent areas. The roofing surface will be applied over the insulating material by a uniform coat of hot coal tar pitch, using not less than 40 lbs. per 100 sq. ft.; and

WHEREAS, the applicant contends that if the 1½ inch cement protection is required, the dead load will be increased by 18 lbs. per sq. ft., requiring additional reinforcement in the roof slab and in the columns, thus increasing the dead load of construction with no gain in safety as far as the tenants are concerned; that the protection of the insulating material with 1½ inches of concrete, as required by the Adm. Building Code will not add to the fire protection of the buildings in question or the adjoining buildings; that all buildings in this project are Class I construction and no further need is seen for protection of the insulating material, as such additional protection will create unnecessary expense and not add to the safety of the structure.

Resolved, that the decision of the acting borough superintendent of buildings, on N.B. Applic. Nos. 130-39 and 130A-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the top mopping shall be 50% in excess of the regular requirements and the protecting slag not less than 450 lbs. per square.

1188-39-A.

APPLICANT—Shreve, Lamb, and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner (U.S. Housing Project N. Y. 5-3).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED — 28J to 44J Jackson street, northeast corner of Cherry street and south side of Monroe street (Buildings 21 and 23); (Block No. 263, Lot Nos. 40-45), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry L. C. Gall, Allan S. Harrison and W. F. R. Ballard.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1188-39-A)

WHEREAS, Shreve, Lamb and Harmon, William F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner, filed on September 27, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 28J to 44J Jackson street, northeast corner Cherry street and south side of Monroe street (Block No. 263, Lot Nos. 40 to 45, Bldg. Nos. 21 and 23, Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on N.B. 131-39 and 131-A-39, dated September 12, 1939, reads:

"Receipt is acknowledged of your letter of September 8, 1939, requesting permission to use 1½ in. fibre board or cork board insulation on the concrete roof slabs of the buildings of the Vladeck Housing Project to be erected by the New York City Housing Authority under the new building application numbers given above.

In reply please be advised that Section 10.3.1 of the Building Code requires cork or fibre insulation board

to be covered by not less than 1½ in. Portland cement concrete.

While the reasons you give for omission of this concrete are logical and weighty, this department has no authority to make any variations in the requirements of the Building Code. Therefore your application for permission to lay 1½ in. thick fibre or cork board insulation on the roofs of the above buildings without covering the same with 1½ ins. of Portland cement concrete, as required by the rules of the Board of Standards and Appeals, and by section 10.3.1 of the Building Code is hereby denied."

and

WHEREAS, the buildings will be 6 stories (55.91 ft.) and 55.61 ft. in height, 178.42 ft. by 58.21 ft. in area each; located in a residence use, "D" area district; to be occupied throughout as Class A multiple dwellings; and

WHEREAS, it is proposed to use an approved fibre board or cork board insulation over the fireproof roof deck, such insulation to be covered with 4-ply 65 lb. felt with tar and 300 lbs. of slag or 400 lbs. of gravel finish. The roof slab will have a minimum thickness of 4½ inches. The insulating material will be laid in a bed of hot pitch of not less than 40 lbs. per hundred sq. ft. coverage. Felt stops will be provided to isolate areas of board approximately 400 sq. ft. each and to prevent penetration of moisture from adjacent areas. The roofing surface will be applied over the insulating material by a uniform coat of hot coal tar pitch, using not less than 40 lbs. per 100 sq. ft.; and

WHEREAS, the applicant contends that if the 1½ inch cement protection is required, the dead load will be increased by 18 lbs. per sq. ft., requiring additional reinforcement in the roof slab and in the columns, thus increasing the dead load of construction with no gain in safety as far as the tenants are concerned; that the protection of the insulating material with 1½ inches of concrete, as required by the Adm. Building Code will not add to the fire protection of the buildings in question or the adjoining buildings; that all buildings in this project are Class I construction and no further need is seen for protection of the insulating material, as such additional protection will create unnecessary expense and not add to the safety of the structure.

Resolved, that the decision of the acting borough superintendent of buildings, on N.B. Applic. Nos. 131-39 and 131A-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the top mopping shall be 50% in excess of the regular requirements and the protecting slag not less than 450 lbs. per square.

1195-39-A.

APPLICANT—Jack Z. Cohen, for Corn Exchange Bank and Trust Co., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—625-629 West 130th street, north side, 325 ft. east of 12th avenue (Block No. 1997, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Larry Meltzer.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1195-39-A)

WHEREAS, Jack Z. Cohen, for Corn Exchange Bank and Trust Co., owner, filed September 28, 1939, an appeal from a decision of the acting borough superintendent of build-

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ings, affecting premises 625-629 West 130th street, north side, 325 ft. east of 12th avenue (Block No. 1997, Lot No. 14), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 2941-39, dated September 22, 1939, reads:

"1. Building should be of fireproof construction. Sec. 4.2.1, B.C.

2. Two means of egress are required from each floor. Sec. 6.1.2.2.3, B.C.

3. Boiler room must be entirely separated from the building by fireproof walls, floor and ceiling and enterable only from outside the building. Show means of egress from areaway in rear to the street."

and

WHEREAS, the building is 3 stories (38 ft.) in height, 75 ft. by 95 ft. 3 in. in area, of Class 3 construction, equipped with a sprinkler system, erected in 1894, located in an unrestricted use district and occupied: Cellar—boiler room and storage; 1st floor—factory—12 persons; 2nd floor—same—17 persons; 3rd floor—same—15 persons; proposed to be occupied as a public garage for more than five (5) motor vehicles; and

WHEREAS, the applicant contends that under Alt. Applic. No. 618-27, the building was altered and converted from a stable to a factory and the sprinkler system was installed throughout the building; that the building as a factory has become outmoded and the owner desires to convert the building to a public garage in order to rent same; that all plumbing fixtures will be removed; that partitions will be removed; that a new elevator will be installed at front wall; that all floors and ceilings, posts and girders, fire-retarded; that the building is less than 7500 sq. ft. in area; that a modification is requested so as to permit the occupancy as proposed.

Resolved, that the decision of the acting borough superintendent, on Alt. Applic. No. 2941-39, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the ceilings throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; as to Objection No. 2, that a second means of exit shall be maintained, consisting of an interior stair as remote as possible from the existing stair, both stairs to be continued to the roof and with passage leading directly to the street and protected throughout with partitions meeting a one hour fire test; as to Objection No. 3, that the boiler room shall be separated from the balance of the building with fireproof construction with a fireproof slab over same and with no openings therein from the garage and with only access thereto from the exterior area; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

VARIATION OF LABOR LAW

1038-39-S.

APPLICANT—Samuel Rosenblum, for Central Hanover Bank and Trust Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—15 East 56th street, north side, 225 ft. east of Fifth avenue (Block No. 1292, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative 0
Absent 0

THE RESOLUTION—

(1038-39-S)

WHEREAS, Samuel Rosenblum, for Central Hanover Bank and Trust Company, owner, filed on August 11, 1939, an application for a variation of the Labor Law, as cited in a decision of the borough superintendent of buildings, affecting premises 15 East 56th street, north side, 225 ft. east of Fifth avenue (Block No. 1292, Lot No. 10), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. 2293-39, dated July 24, 1939, reads:

"2. Bldg. should be fireproof. Sect. 270 Labor Law, and constructed as per Sec. 264 Labor Law. Bldg. over 4 stories high and was erected after Oct. 1, 1913.

3. Exits should comply with Sect. 270 Labor Law."

and

WHEREAS, the building is 7 stories (75 ft.) in height, 25 ft. by 100 ft. 5 in. in area at 1st floor, 25 ft. by 90 ft. 5 in. in area above; erected in 1919; occupied: cellar—storage; 1st floor, store, 15 persons; 2nd, 3rd, 4th, 5th, 6th and 7th floors, offices and light manufacturing, 30 persons per floor, a Certificate of Occupancy No. 2704 was issued in 1921, permitting the building to be occupied for business use above the first floor; and

WHEREAS, the applicant contends the floor load was approved for 120 lbs. per sq. ft.; that the building was originally erected as a business building and is equipped with an interior stairway enclosed in 3 inch terra cotta blocks with fireproof doors at openings; that the actual occupancy of the building is less than that permitted by the certificate of occupancy; that it is proposed to use part of the premises for light manufacturing and the present application was filed for this conversion; that a fire escape will be provided at the rear of the building with fireproof openings on the course thereof and egress from termination of same will be by means of fireproof passageway at 2nd story connecting directly with the fireproof stairway at front of building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent on Alt. Applic. 2293-39, and that the application be and it hereby is *granted on condition* that the building shall not be increased in height and area; that the occupancy per floor shall at no time exceed 20 persons, including all occupants doing factory work; that the requirements of the building zone resolution shall be complied with; that a second means of exit shall be provided, consisting of an exterior fire escape which may exit through a fire passage at the second floor level connecting with the primary means of exit leading directly to East 56th street; that the floor load throughout shall not be less than 120 lbs. per superficial foot; that the stairs shall conform to the requirements of the Labor Law and the Building Code, except that the enclosing partition may be 3-inch terra cotta block plastered on both sides; that all windows on the rear shall be fireproof self-closing, glazed with wire glass; that all windows on the front above the 1st story may have frames of wood, but shall be glazed with plate glass not less than ¼ in. thick; that in all other respects the building and occupancy shall comply with the Building Code, the Labor Law and all other laws, rules and regulations applicable thereto.

APPLIANCE SUBMITTED FOR APPROVAL

146-31-SA.

APPLICANT—Pressure Oil Burners, Inc., owner.

SUBJECT—Application for consideration—Pressure Oil Burner, Models A, B and C—reopening and amendment to include additional name.

APPEARANCES—

For Applicant: Lester J. Site.

ACTION OF BOARD—Application reopened and resolution amended.

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THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief Walsh 1

THE RESOLUTION—

(146-31-SA)

WHEREAS, Pressure Oil Burners, Inc., owner, filed March 27, 1931, an application with the Board of Standards and Appeals for approval of the device known as the Pressure Oil Burners, Models A, B, and C; and

WHEREAS, this burner was submitted to the fire department for test and report and report of the chief of the Bureau of Fire Prevention, dated August 1, 1931, recommended the approval of the device; and

WHEREAS, the device was approved by the board September 15, 1931, and applicant requested the marketing of the burner under the additional names, Metro-Pressure Oil Burner, Models A, B and C, Continental Oil Burner, Models A, B and C, Kaytown Quiet Automatic, Models A, B and C. Resolution amended June 30, 1936, and owner requested addition of the name Quiet Automatic Oil Burner, Models KA, KB and KC.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Pressure Oil Burner, Models A, B and C, for use in domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, *that this burner may be marketed under the name of Continental Oil Burner, Models A, B and C, Metro-Pressure Oil Burner, Models A, B and C, Kaytown Quiet Automatic, Models A, B and C, and Quiet Automatic Oil Burner, Models KA, KB and KC, on condition that under whatever name marketed each burner shall bear label, permanently affixed thereto, reading:*

NOTICE

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 146-31-SA.

MATERIAL SUBMITTED FOR APPROVAL

1059-39-SM.

APPLICANT—Colonial Plaster Company, owner.
SUBJECT—Duraplast (Colored Plaster)—approval of.
APPEARANCES—

For Applicant: George H. O'Brien.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1059-39-SM)

WHEREAS, The Colonial Plaster Company, owner, filed August 21, 1939, an application with the Board of Standards and Appeals for approval of the material known as Duraplast (decorative plaster); and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 1059-39-SM.

Subject: Duraplast (Decorative Plaster).

The Colonial Plaster Co., of Brooklyn, N. Y., filed on August 21, 1939, an application with the Board of Standards and Appeals for approval of "Duraplast"

(decorative) under section C-26-463.0 (8.4.10.7), and C26-464.0 (8.4.10.8) of the Administrative Building Code.

This plaster is used as a finish coat only, the resulting surface is made to imitate, travertine texture, float finish and caenstone and consists of a Keene cement base with fillers and extenders consisting of lime asbestos, silica and pulverized marble, alkali proof mineral colors are added. Zinc stearate is added to render the surface, water resistant, and to improve workability.

When used it is mixed with water to desired consistency and applied with a trowel over the rough brown coat of plaster to the thickness of $\frac{1}{8}$ to $\frac{1}{4}$ inch.

On basis of data filed the committee recommends that the Duraplast (decorative plaster) as made by the Colonial Plaster Co., of Brooklyn, New York, be approved for use as a finished coat on plaster surfaces under C26-463.0 (8.4.10.7) and C26-464.0 (8.4.10.8) of the Administrative Building Code. However, this material shall not be used in substitution for any plaster on partitions required to have fire resistance ratings, but it may be used over such partitions over the required scratch, brown, and finished coats. It is further recommended that each bag of this material be tagged, labelled or marked as follows: "Approved by the Board of Standards and Appeals for use in New York City under Calendar No. 1059-39-SM."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Duraplast (decorative plaster), *on condition* that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

Adjourned: 5:55 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on September 12, 1939, as they appeared in Bulletin No. 38, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(415-27-A)

WHEREAS, Croker National Fire Prevention Engineering Co., for H. R. Mallinson, owner, filed April 19, 1927, an appeal from an order of the fire commissioner affecting premises 1901-1935 Woolsey avenue, 2377-2397 Barclay avenue and 1902-1904 Philips place, Astoria, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated January 31, 1927 (Order No. 7980-F), reads:

"1. Install a standpipe system with risers 4 inches in diameter tested to withstand a pressure of 300 lbs. per square inch, extending from cellar to roof, with necessary check valves and 2½ inch regulation Fire Department outlets on each story (including basements, cellars and roofs), placed within main stairway enclosure. Each outlet to be provided with sufficient feet of 2½ inch standard hose attached thereto."

and

WHEREAS, the premises consist of a plot of ground fronting on Woolsey avenue, Barclay avenue and Philips place,

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upon which are located two structures, a fireproof building, 3 stories in height, 185 ft. ½ in. by 202 ft. 6 in. irregular (approximately 33,000 sq. ft.) in area and a 1 story non-fireproof building 109 ft. 11½ in. by 207 ft. 6 in. (approximately 22,000 sq. ft.) in area; the openings between the two buildings being protected by fireproof self-closing doors on each side of the party wall; OCCUPIED by one tenant for the manufacture of silk fabrics; 1st story (both buildings), 116 persons; 2nd story, 70 persons; 3rd story, 75 persons; and

WHEREAS, this appeal was granted by the board September 13, 1927, there being a 40,000 gallon gravity tank on roof which tank has since been replaced by a 20,000 gallon tank.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of September 13, 1927, so that as amended it shall read:

Resolved, that the order of the fire commissioner be and it hereby is modified and the appeal be and it hereby is granted on condition that the building shall be equipped throughout other than the enclosed fireproof stairway with an approved two source wet sprinkler system installed in accordance with the rules of the Board of Standards and Appeals and granted only so long as the building remains substantially unchanged and not increased in height, area or dimension, and granted on condition that siamese connection shall be provided on the street fronts of both Woolsey and Barclay avenues.

Resolved further, that in the event the owner desires to replace the 40,000 gallon gravity tank with a gravity tank having a capacity of 20,000 gallons, such substitution may be made on condition that in all other respects all requirements of this resolution shall be complied with and the building conforms in all other phases to all rules, laws and regulations applicable thereto.

* Correction—The word "net" changed to "wet" in line 41 of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on May 23, 1939, as they appeared in Bulletin No. 22, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(762-38-BZ)

WHEREAS, Henry Nordheim, for Dorothy Bell Dyer and Isabel Sturges, owners (Gardner Super Service, Inc., lessee), filed September 1, 1938, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than 5 motor vehicles; premises: 1670-1716 Southern boulevard, east side, 50 ft. south of East 174th street (Block No. 2983, Lot Nos. 7, 11, 15 and 21), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting May 23, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Southern boulevard is in a business use district; Boston road is in a business use district; Hoe avenue is in a residence and business use district; East 174th street is in a business use district and East 173rd street is in a residence and business use ditrict; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated August 30, 1938, reads:

"Your application for the use of the vacant lot at above mentioned location for the storage or parking of more than five (5) motor vehicles is denied, as the

location is within a business district as established by the Amended Building Zone Resolution, where such occupancy would be unlawful."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 400 ft. and a depth of 100 ft. Upon the site there is a one story office 12 ft. by 25 ft. in area. It is proposed to use the site for a temporary period of not more than two (2) years, for the storage and parking of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the board and the committee recommended that the variance be granted for a portion of the plot, under certain restrictions; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted only so far as it affects the portion of the lot to the north with a frontage of 200 feet along Southern boulevard, starting with No. 1716 Southern boulevard, to permit the use of this portion of the plot for parking and storage of more than five (5) motor vehicles, for a temporary period of not more than two (2) years from the date of this resolution, on condition that only motor vehicles of the pleasure-car type shall be so stored or parked; that that portion of the plot shall be levelled substantially to the grade of Southern boulevard and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting and properly drained to provide surface drainage; that there shall be erected on the interior lot lines, a substantial woven wire fence not less than six feet in height; that a similar fence shall be erected on the street building line, with not more than two entrances thereto to Southern boulevard, each not over 15 feet in width with curb cuts opposite not over 20 feet in width each; that during the term of this variance, the premises as herein permitted, for parking and storage of more than five (5) motor vehicles, shall be used for no other purpose; that any existing permit for sale of used cars shall be discontinued; that all existing buildings shall be removed from the premises and no building erected thereon, except there may be erected near an entrance, a building not over 150 sq. ft. in area and one story in height as an office and shelter for the attendant; that said building may be of frame construction; that no signs shall be erected or permitted on the premises except one at each entrance, advertising only the parking and storage use; that these signs shall be attached to the fences and shall not exceed 15 sq. ft. in area each; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct and that all permits required shall be obtained and all work involved completed within six months from the date of this resolution.

* Correction—The numbers "100" changed to "150" in line 73 of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on July 18, 1939, as they appeared in Bulletin No. 30, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(1202-38-A)

WHEREAS, Wood Dolson Co., Inc., for 225 West 86th Street Corporation, owner, filed December 23, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 225 West 86th street, 2360-2378

MINUTES

Broadway and 540-546 Amsterdam avenue (Block No. 1234, Lot No. 19), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, re Viol. No. 3364-39, dated June 29, 1939, reads:

"You will please take notice that there exists a violation of Section 16.16 of the Building Code and C26-1436.0 of the Administrative Code at the premises hereinafter described, in failing to provide a reserve water supply of at least 2500 gallons for standpipe system, so arranged as to give a hydrostatic pressure of at least 5 lbs. at the highest hose valve under main roof in accordance with Section C26-1436 and 16.16.

REMEDY:

You are hereby directed to provide a reserve water supply of at least 2500 gallons for standpipe system, so arranged as to give a hydrostatic pressure of at least 5 lbs. at the highest hose valve under the main roof in accordance with Section C26-1436 of the A.C. and 16.16 of the B.C."

and

WHEREAS, the building is 13 stories in height, 201 ft. by 328 ft. in area, of fireproof construction; equipped with a standpipe system; erected in 1910 and occupied as a multiple dwelling with stores on the 1st floor; and

WHEREAS, the applicant contends that the standpipe supply tank is under the roof of the pent house and the hose valves in the pent house are approximately 3 ft. below the tank; that there is no dwelling occupancy in the pent house except the superintendent's quarters; that it is proposed to install fire extinguishers throughout the pent house, as required by the fire department.

Resolved, that the decision of the borough superintendent, on Viol. No. 3364-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the main riser shall be extended to connect with the existing *higher* house tank, so that at all times there will be *not less than a total* of 2500 gallons available *in all tanks* for standpipe purposes; that this connection may be so made that the full capacity of all the tanks is also available for domestic purposes; that in all other respects the standpipe system shall comply with the requirements for existing standpipe system.

* Correction—The word "*higher*" inserted in line 40 of the resolution; the words "*a reserve*" omitted in line 41 and the words "*not less than a total*" inserted therefor; the words "*in all tanks*" inserted in line 42 and the words "*in such tank in addition to the existing standpipe tanks located below the penthouse roof*" omitted.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on September 12, 1939, as they appeared in Bulletin No. 38, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(721-39-BZ)

WHEREAS, New York Telephone Company, owner, filed May 31, 1939, an application under section 7D of the building zone resolution to permit in a residence use district the extension of an existing central telephone exchange; premises: 182-08 to 182-26 140th avenue, S.S. from 182nd street to 183rd street, 140-02 to 140-10 183rd street, 140-01 to 140-11 182nd street, Springfield Gardens, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 12, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 140th avenue is in a residence and business use; 182nd street is in a residence use; 183rd

street is in a residence and business use and 141st avenue is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated May 2, 1939, re Alteration Application No. 686-1939 reads:

"The extension of a business building in a residence district is contrary to Art. 2, Section 3 of the Building Zone Resolution."

and

WHEREAS, the existing building is fireproof, two (2) stories in height, with a frontage of 103 ft. 3 in. on 140th avenue and 95 ft. on 183rd street. It is proposed to extend the area of the existing Central Telephone exchange building by the erection of a two (2) story extension 54 ft. 11 in. by 60 ft. in area; and

WHEREAS, on June 3, 1927, the zone of premises in question was changed from undetermined to residence use; and

WHEREAS, applicant contends that the existing building was completed on January 23, 1928; that the building as extended will be of typical central telephone exchange construction; that the proposed extension will have a steel frame but in all other respects will conform with the existing buildings, being fireproof, with all four walls faced with red Colonial brick, ornamented with limestone trim, cornices, sill courses, balustrades and coping on street elevations; that the doors are to be metal covered and the windows throughout are to be of metal with wire glass; that it is planned to remove the existing exterior fire escape and to erect a new interior stairway at the rear of the proposed extension in replacement thereof; that the site of the proposed building operation is the telephonic wire center of an important and rapidly developing area of service demands; that the existing building is now operating at almost full capacity; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision d, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7d, to permit the extension, as proposed, *on condition* that no additional building or extension shall be constructed on Lot No. 1, comprising the entire block front along 140th avenue and a depth of 100 ft., and that such block front shall remain in the ownership of the New York Telephone Company; that any windows erected on the southerly lot line or within 30 ft. thereon shall be fireproof self-closing; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution *and that this variance with the conditions imposed, shall continue only so long as the building and premises are occupied as proposed.*

* Correction—The words "*and that this variance with the conditions imposed, shall continue only so long as the building and premises are occupied as proposed*" inserted at the end of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on September 12, 1939, as they appeared in Bulletin No. 38, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(1109-39-A)

WHEREAS, Boris W. Dorfman for Boardwalk Building Corporation, owner, filed September 7, 1939, an appeal from a decision of the borough superintendent of buildings af-

MINUTES

fecting premises 43-12 43rd street, W. S. 100 ft. south of 43rd avenue (Block No. 163, Lot No. 25) Long Island City, Borough of Queens, and

WHEREAS, the decision of the borough superintendent of buildings N.B. Application No. 3934, dated September 5, 1939, reads:

"1. In every floor area below ground, 2 exits are required leading direct to the street level—(6.1.2.2.3) and (6.4.1.11).

"2. One required means of egress from the store floor is dependent on the passageway it is proposed to eliminate (Sec. 6.1.1.2.2.2)."

WHEREAS, the proposed building will be one story, 15 feet 6 inches in height, 60 by 95 feet in area of Class 3 construction, located in a business use district, and occupied, cellar, storage; first floor, public market; and

WHEREAS, the applicant contends the cellar will be used for storage purposes only; that it is proposed to install two stairways on the interior of the store leading to the cellar; one stairway will be enclosed with terra cotta blocks equipped with fireproof doors; two engineers ladders will be provided at the front of the building leading from street to cellar; double doors will be provided at the front of the building; that the construction of the bulkhead from the store to the cellar and passageway from the cellar to the street would create confusion and be a serious hazard; that it would also affect the design of the exterior of the building; that in lieu of compliance with the decision of the borough superintendent it is proposed to provide an en-

closed stairway to the roof with egress to a 15,000 square foot roof area fronting on two streets;

Resolved, that the decision of the borough superintendent of buildings, on N.B. Applic. No. 3934, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 1, *on condition* that the cellar shall be used for the storage of merchandise only and that no customers shall be permitted therein; that there shall be two (2) stairways, one removed from the other, enclosed in fireproof material with self-closing door at the bottom; that there shall be two (2) sidewalk hoistways provided, each equipped with a ladder; as to Objection No. 2, there shall be a second means of exit from the store floor, provided *such* shall consist of a stairway toward the rear leading to bulkhead in the roof, and not less than 3 ft. in width, giving access to the roof of the adjoining building being constructed under Applic. No. 3352-39, to 43rd avenue; that at least two (2) portable ladders shall be placed upon the roof, of sufficient length to give access from the top of the parapet to the sidewalk; that no paint, oils or other combustible materials shall be stored in the building; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building is occupied, as proposed, as a public market for foodstuffs.

* Correction—The word "each" changed to "*such*" in line 46 of resolution.

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Name	Calendar No.
Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Name	Calendar No.
New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

PUBLIC HEARING

PROPOSED RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES.

(1139-39-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, October 20, 1939, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for Inspection of Approved Opening Protective Assemblies.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Code (2.2.1.1) and C26-610.0 Administrative Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Building Code, it shall be tested as required in Section 10.1.18 and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved fire doors of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such doors are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Superintendent of Buildings, or by a recog-

nized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved door or window and the manufacturer and the number of such units to be manufactured.

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals. Where a door is of fire-proofed wood, such wood shall be submitted to tests for fireproof wood, as prescribed in the Code. Sect. 7.2.3.1 to 7.2.3.9 inclusive.

Rule 3—Labels.

3.1 Every approved Fire Door or Window before installation in a building under the provisions of the Building Code shall have securely attached to the door, a metal label of a design approved by the Board, giving the name of the door or window, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to an approved Fire Door, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the door or window a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each door or window manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of the same type and material as tested with approved Opening Protective Assembly.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

EXTRACTS FROM CHAPTER 19, ARTICLE 18 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

ARTICLE 1. General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third ($3\frac{1}{3}$), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, commercial buildings and residence buildings are buildings as so defined by Article 4, C26-235.0 of the Administrative Code of the City of New York.

(a) Public Buildings. Public buildings are structures or parts of structures in which persons congregate for

civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) Residence Buildings. Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) Commercial Buildings. Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

ARTICLE 3.

Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:	
Class A systems.....	\$20.00
Class B systems.....	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant.....	1.00

ARTICLE 18.

Refrigerating Systems.

C19- 96.0.	Permits.
C26-214.0.	Supervision.
C19- 97.0.	Classification.
C19- 98.0.	Permissible locations.
C19- 99.0.	Refrigerating machinery rooms and ventilation.
C19-100.0.	Open flames and electrical equipment.
C19-101.0.	Testing.
C19-102.0.	Piping.
C19-103.0.	Safety devices.
C19-104.0.	Size of safety devices.
C19-105.0.	Location and discharge of safety devices.
C19-106.0.	Operating precautions.
C19-107.0.	Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

RULES

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $\text{C}_2\text{Cl}_2\text{F}_4$ and monofluorotrichloromethane ("F-11") CFC_2Cl_3 are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as hereinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Tests pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One 1/2 inch
30 to 60 "	One 3/4 "
60 to 100 "	One 1 "
100 to 175 "	One 1 1/4 inches
175 to 250 "	One 1 1/2 "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee \$5, and for renewal thereof the sum of \$1 provided application for such renewal be made for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

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§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;

2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;

3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;

4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;

5. A school unless the refrigerating system is used exclusively for instructions or research purposes;

6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydro-carbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height,

and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8") of brick or six inches (6") of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigerating Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb-waiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.

2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in Column E of such table.

3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in Column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Window Mechanical Sq. Ft. Duct Area.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42

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600	1,450	1 1/2	6	45
700	1,630	1 1/2	6 1/2	48
800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10 1/2	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch ($\frac{1}{4}$ ") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a $\frac{3}{4}$ -inch pipe; five heads on a 1-inch pipe; six heads on a $1\frac{1}{4}$ -inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1.	Col. 2.	Col. 3.
	High Pressure Side.	Low Pressure Side.	Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure side.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia

RULES

emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO ₂ and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1-1½"	1-1½"
30 to 60 tons.....	1-1½"	1-¾"
60 to 100 tons.....	1-1½"	1-1"
100 to 175 tons.....	1-1½"	1-1¼"
175 to 250 tons.....	1-¾"	1-1½"
250 to 450 tons.....	1-1"	1-2"
450 to 900 tons.....	.....	2-2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

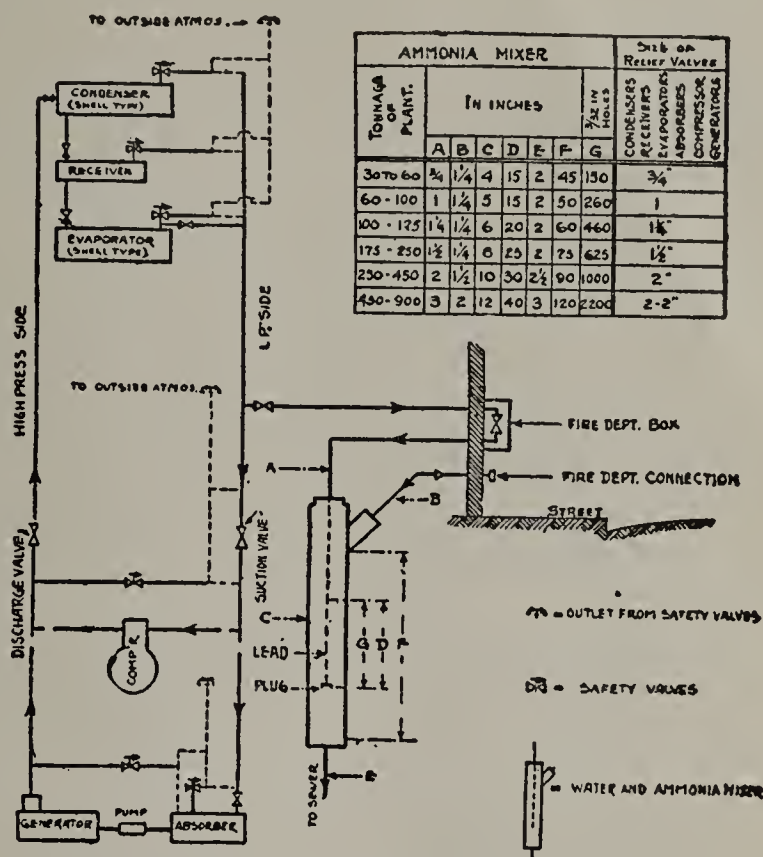
§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

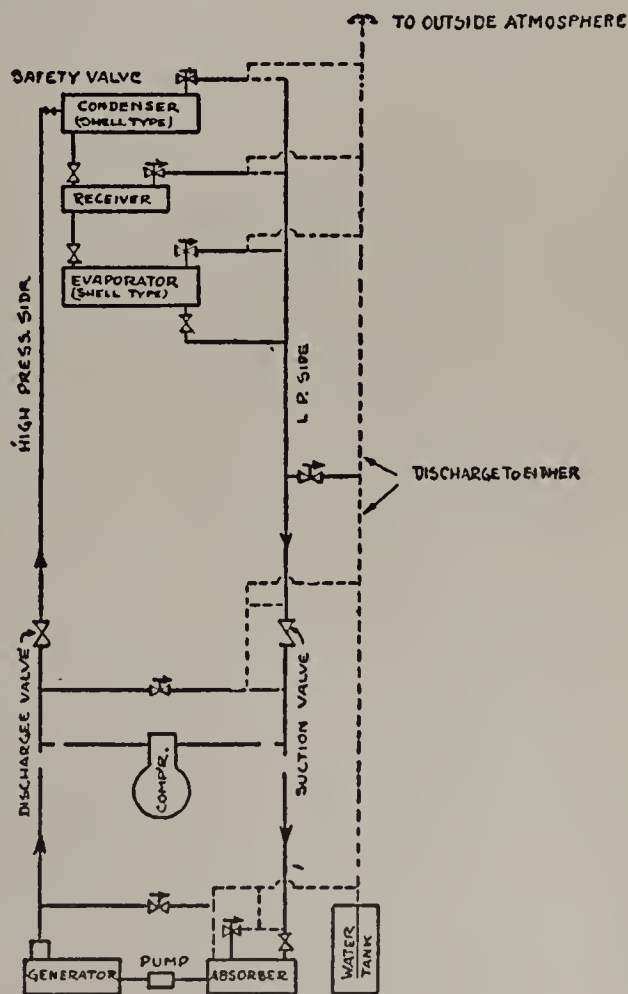
A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'A' EQUIPMENT
SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES
FOR
CLASS 'B' EQUIPMENT
SECTION C19-107.0

RULES

system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO₂ systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth ($\frac{1}{8}$) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half ($\frac{1}{2}$) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant re-

frigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches ($1\frac{1}{2}$ ") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least $8\frac{1}{2}$ " by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

ARTICLE 27.

Penalties.

§C19-152.0. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or by both.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 42

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in con-
nection with which court proceedings are pending or in
progress, unless exception is granted by the chairman, nor
accepted which is not filed within thirty days from the date
of the action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the
rules of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his
appeal or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commis-
sioner of buildings or fire commissioner) and file with this
board a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to October 10, 1939

Cal. No. Department Premises Affected

1210-39-SM.....Bird Neponset Wallboard, Bird Super Neponset Wallboard, Bird American Wallboard and Bird Poster Board, manufactured by Bird and Son, Inc., Material.

1211-39-A.....H.B.B.....43 Crown street, north side, 100 ft. west of Franklin avenue (Block No. 1189, Lot No. 31), Borough of Brooklyn, B.N. 5908-39.

1212-39-A.....H.B.M.....334-336 East 48th street, south side, 175 ft. west of First avenue and 335-339 East 47th street (Block No. 1340, Lot Nos. 31, 34 and 35), Borough of Manhattan, F.P. 555-39.

1213-39-A.....H.B.Q.....63-53 98th street, southeast corner of 63rd drive (Block No. 2100, Lot No. 1), Forest Hills, Borough of Queens, N.B. 7468-39.

1214-39-SM.....GB800 Admiral Closet Combination, manufactured by General Ceramics Company, Material.

1215-39-A.....H.B.M.....1535-1541 Third avenue, east side, 78 ft. north of East 86th street (Block No. 1532, Lot No. 4), Borough of Manhattan, Alt. 2406-39.

1216-39-BZ....H.B.M.....352 West 44th street, south side, 150 ft. east of Ninth avenue (Block No. 1034, Lot No. 58), Borough of Manhattan, Alt. 2828-39.

1217-39-A.....H.B.R.....103 Beach street, north side, 73.25 ft. east of Van Duzer street (Block No. 513, Lot No. 50), Stapleton, Borough of Richmond, B.N. 634-39.

1218-39-A.....F.D.....164-01 to 164-07 Jamaica avenue, and 71-89 164th street, northeast corner (Block No. 866, Lot Nos. 20-23), Jamaica, Borough of Queens, 3093-L.F. and Decision.

1219-39-A.....H.B.M.....440 East 102nd street, southwest corner of East River drive (Block No. 1695, Lot No. 25), Borough of Manhattan, Decision re Permit 3839-39, C. of 0.25131, Misc. Applic. 362-39, Dropped Curb Permit M-229, B.N. 1698-39 and Alt. 2729-39.

1220-39-BZ.....H.B.B.....360-368 Empire boulevard, south side, 160 ft. east of Nostrand

avenue (Block No. 1316, Lot Nos. 15 and 16), Borough of Brooklyn, B.N. 4814-39.

1221-39-A.....H.B.B.....9413 to 9423 Shore road, northeast corner of Ridge boulevard (Block No. 6111, Lot No. 1), Borough of Brooklyn, Applic. 2538-39.

1222-39-A.....F.D.....3466 Jerome avenue, east side, 228.35 ft. south of East Gun Hill road (Block No. 3327-A, Lot No. 100), Borough of The Bronx, 1897-L.F. and Decision.

1223-39-A.....F.D.....3472 Jerome avenue, east side, 228.35 ft. south of East Gun Hill road (Block No. 3327-A, Lot No. 100), Borough of The Bronx, 1882-L.F. and Decision.

1224-39-SM.....Sloan V-100-A Vacuum Breaker (for flush valves), manufactured by Sloan Valve Company, Material.

1225-39-SM.....Sloan V-90-A Vacuum Breaker (for 1/2 in I.P.S. and smaller supplies), manufactured by Sloan Valve Company, Material.

1226-39-A.....H.B.Q.....48-06, 48-12, 48-16, 48-20 and 48-24 Fresh Meadow road, northwest corner of Pidgeon Meadow road and west side of Fresh Meadow road, 91.08 ft., 131.08 ft., 171.08 ft., and 211.08 ft. north of Pidgeon Meadow road (Block No. 5577, Lot No. 35), Flushing, Borough of Queens, N.B. 7076-39 to N.B. 7084-39, inclusive.

1227-39-A.....H.B.Q.....49-12, 49-16, 49-20, 49-24, 49-28 and 49-32 Utopia parkway, northwest corner of Peck avenue and west side of Utopia parkway, 42 ft., 82 ft., and 122 ft. north of Peck avenue, and 102.04 ft. and 146.18 ft. south of Underhill avenue (Block No. 5590, Lot Nos. 54, 50 and 19), Flushing, Borough of Queens, N.B. 6900-39 to N.B. 6911-39, inclusive.

1228-39-A.....H.B.Q.....49-03, 49-07, 49-11, 49-15, 49-19, 49-23, 49-27 and 49-31 Utopia parkway, southeast corner of Underhill avenue and east side of Utopia parkway, 50 ft., 90 ft., and 130 ft. south of Underhill avenue and 40 ft., 80 ft., and 120 ft. north of Peck avenue and northeast corner of Utopia parkway and Peck avenue (Block No. 5636, Lot Nos. 1, 8 and 12),

CALENDAR

Flushing, Borough of Queens,
N.B. 6944-39 to
N.B. 6959-39, inclusive.

1229-39-A.... H.B.Q....49-38, 49-42, 49-44, 49-48, 49-52,
49-54, 49-58, 49-62, 49-66 and
49-70 Utopia parkway, south-
west corner of Peck avenue
and west side of Utopia park-
way, 32 ft., 71 ft., 110 ft., and
149 ft. south of Peck avenue
and 16 ft., 55 ft., 94 ft., and
133 ft. north of 50th avenue
and northwest corner of
Utopia parkway and 50th ave-
nue (Block No. 5592, Lot No.
1), Flushing, Borough of
Queens, N.B. 6912-39 to
N.B. 6931-39, inclusive.

1230-39-A.... H.B.Q....49-37, 49-41, 49-45, 49-49, 49-53
and 49-57 Utopia parkway,
southeast corner of Peck ave-
nue and east side of Utopia
parkway, 50 ft. and 90 ft.
south of Peck avenue and 77
ft. and 117 ft. north of 50th
avenue and northeast corner
of Utopia parkway and 50th
avenue (Block No. 5637, Lot
No. 1), Flushing, Borough of
Queens, N.B. 6932-39 to
N.B. 6943-39, inclusive

1231-39-A.... H.B.Q....119-19 103rd avenue, northwest
corner of 120th street (Block
No. 9487, Lot No. 36), Rich-
mond Hill, Borough of
Queens, Alt. 469-39.

1232-39-BZ.... H.B.Q....84-50 169th street (Ackroyd ave-
nue), west side, 165.01 ft.
north of Gothic drive (Block
No. 9860, Lot No. 40), Ja-
maica, Borough of Queens,
Amendment of N.B. 10228-39.

1233-39-S.... H.D.....422 Fulton street, north side, 93
ft. west of Hoyt street (East
Building); (Block No. 156,
part of Lot No. 1), Borough
of Brooklyn, Applic. 4127.

1234-39-A.... H.B.Q....19-80 Steinway street, northwest
corner of 20th avenue (Block
No. 811, part of Lot No. 1),
Long Island City, Borough of
Queens,
Misc. Applic. 7146-39.

1235-39-A.... H.B.B.....641-669 62nd street, north side,
120 ft. west of Seventh ave-
nue (Block No. 5793, Lot No.
52), Borough of Brooklyn,
Alt. 4232-39.

1236-39-BZ... H.B.Bx.....510 East 164th street, south side,
89.99 ft. west of Third ave-
nue and 3275-3279 Third ave-
nue, west side, 48 ft. south
of East 164th street (Block
No. 2368, Lot Nos. 28, 32, 33
and 34), Borough of The

Bronx, Decision re
Certificate of Occupancy.

1237-39-A.... H.B.B.....679-723 Court street, southeast
corner of Bryant street
(Block No. 624, Lot No. 1),
Borough of Brooklyn,
Misc. Applic. 5869-39.

1238-39-BZ.... H.B.M.....55J to 61J Jackson street, north-
east corner of Water street
(Building No. 16); (Block
No. 260, Lot No. 1), Bor-
ough of Manhattan,
N.B. 128-39.

1239-39-A.... H.B.Bx....605 West 239th street, northeast
corner of Blackstone avenue
(Block No. 3417, Lot Nos.
152 and 155), Borough of
The Bronx, N.B. 810-39,
(Under Section 35, General
City Law re Bed of Map-
ped Street).

1240-39-SM.....Supremo Cleanout Fitting
(Plumbing), manufactured by
J. A. Zurn Manufacturing
Co., Material.

1241-39-SM.....Zurn V-E-L 3 in. Closet Con-
nection (Plumbing Fitting),
manufactured by J. A. Zurn
Manufacturing Company,
Material.

1242-39-BZ.... H.B.R.....515 Bay street, southeast corner
of Wave street (Block No.
489, Lot No. 5), Stapleton,
Borough of Richmond,
N.B. 232-39.

1243-39-SM.....Larson Waterproofing Units,
manufactured by Brisk
Waterproofing Co., Inc.,
Material.

1244-39-A.... F.D.....1406-1410 Kings highway, south
side, 25 ft. 4¾ in. east of
East 14th street (Block No.
6797, Lot No. 101), Borough
of Brooklyn,
2846-F and Decision.

1245-39-BZ.... H.B.M.....213-217 East 37th street, north
side, 180 ft. east of Third ave-
nue (Block No. 918, Lot Nos.
10, 11 and 12), Borough of
Manhattan, Alt. 3014-39.

1246-39-S.... H.B.M.....2-8 West 46th street, south side,
100 ft. west of Fifth avenue
(Block No. 1261, Lot No.
42), Borough of Manhattan,
Alt. 2396-39.

1247-39-A.... H.B.Q....Blocks bounded by 159th street,
107th, 108th and 109th ave-
nues (Block Nos. 10126,
10137, 10138 and 10147),
South Jamaica, Borough of
Queens, N.B. 6803-39 to
N.B. 6806-39, inclusive.

CALENDAR

1248-39-SM.....Craftplaster, manufactured by
Eastern Composition Stone
Company, Material.

1249-39-SA.....Hydraulic Automobile Lift,
Appliance.

1250-39-SA.....Saylor-Bcall Compressors and
Spray Equipment, Appliance.

1251-39-A.... H.B.Q142-02 to 142-10 Lansing ave-
nue, southwest corner of
South Conduit avenue (Block
No. 4822, Lot No. 106),
Laurelton, Borough of
Queens, Decision re
N.B. 99-32 and N.B. 6570-30.

1252-39-A.....F.D.....585-587 Eighth avenue, west side,
49 ft. 5 in. south of West
39th street and 306 West 39th
street (Block No. 762, Lot
Nos. 38-39-44), Borough of
Manhattan,
5060-L.F. and Decision.

1253-39-A.....H.B.Q.....159-01 Hillside avenue, north-
east corner of Parsons boulev-
ard (Block No. 342, Lot
No. 1), Jamaica, Borough of
Queens, Alt. 2154-39.

Restored to Calendar

181-39-BZ.... H.B.Q.....45-37 to 45-55 50th (Fitting)
street, east side, 400 ft. south
of Queens boulevard (Block
No. 2283, Lot No. 1),
Woodside, Borough of
Queens, Alt. 9140-38.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—
Department of Housing and Buildings, Manhattan; H.B.Q.—Depart-
ment of Housing and Buildings, Queens; H.B.R.—Department of
Housing and Buildings, Richmond; H.B.Ex.—Department of Housing
and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire
Department.

COURT DECISIONS

Matter of Harlem Savings Bank (Murdock, et al).—On February
7, 1939, board denied parking and storage of more than
five motor vehicles, under section 21, in an unrestricted
district, under Cal. No. 132-38-BZ, at 439-445 West 39th
street, Borough of Manhattan, on the ground that a
school operated by the Children's Aid Society is located
on the same street between intersecting streets and that
the children use as an entrance a playground which abuts
the school. Mr. Justice McLaughlin sustained board
(N.Y.L.J., October 14, 1939) holding that such a school
came under the prohibition in section 21 and that the
playground entrance was an entrance to the school used
by the children, stating:

"The petitioner, however, asks for a construc-
tion of the statute which would exclude this school
and its children from the protection of the statute
because, from a strict reading of the language of the
statute, it would not come within the terms of
'public school,' or 'established religious body,' or
'educational corporation.'"

The Court cannot agree with any such strained
construction. It would be too harsh a doctrine to
enunciate a ruling that the Legislature meant to
exclude children who were being educated in this
institution. The protection afforded by the statute
is primarily for the children, not for the school. I
think the term 'public school' is sufficiently broad to
include this school, supported as it is and aided by
the efforts and supervision of the board of education
and the city authorities in an endeavor to give the

pupils of this school an education. The court is
confident that the Children's Aid Society, which is
educating these children, not only intellectually but
also with a view to character formation, can clearly
come within the term 'educational corporation.' A
reasonable construction of this section shows that it
includes in its protection a school of this character,
and that the children therein are entitled under the
statute to the same protection as the children of other
schools."

* * *

Matter of Barr (Murdock).—On June 8, 1937, board affirmed deci-
sion of Superintendent of Buildings in permitting erection
of an apartment house in an "F" area district and
accepting connections to former private sewer (subse-
quently taken over by city and connected to Sheepshead
Bay public sewer) as compliance with the law, also
denied application for revocation of permit Cal. No. 232-
37-A, premises 301-323 Oriental boulevard, Manhattan
Beach, Borough of Brooklyn, on the ground that the
zoning law does not prohibit erection of an apartment
house in an "F" area district where the restrictive re-
quirements are complied with, and that the sewer connec-
tions provided, complied with the Multiple Dwelling Law
as to street sewer. Mr. Justice Smith sustained board
(N.Y.L.J., December 8, 1938). Appellate Division af-
firmed order of Special Term and upheld decision of
board (N.Y.L.J., July 8, 1939). Appellate Division
denied motion for reargument also denied leave to appeal
to Court of Appeals (N.Y.L.J., October 17, 1939).

RULES

Last Publication in Bulletin

Carbon Dioxide Liquefier Rules	Sept.	26, 1939—Vol. 24, No. 39
Certificate of Occupancy, approved form	Aug.	23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug.	3, 1937—Vol. 22, No. 31
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Exit Rules (Revolving Doors)	June	15, 1937—Vol. 22, No. 24
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Tank Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 47
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LIST OF APPROVED APPLIANCES

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Fuel Oil Fill Pipe Terminals	Oct.	3, 1939—Vol. 24, No. 40
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Fuel Oil Pumps	Sept.	19, 1939—Vol. 24, No. 38
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Vacuum Breakers	Oct.	3, 1939—Vol. 24, No. 40

OCTOBER 17, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Stand-
ards and Appeals of a public hearing under the provisions

CALENDAR

of the building zone resolution, *Tuesday morning, October 17, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

- CAL. NO. 178-39-BZ—Application, February 14, 1939, under section 7f of the building zone resolution, of Charles M. Spindler, applicant, on behalf of Buhrman Sand and Gravel Corporation, owner (Colonial Sand and Stone Co., Inc., lessee), to permit in a residence use district, the operation of a sand and gravel pit; premises East side of Douglaston parkway, 951.27 ft. south of 61st avenue (Block No. 8291, Lot No. 1), Douglaston, Borough of Queens.
- CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.
- CAL. NO. 703-38-BZ—Application, August 8, 1939, under section 7h of the building zone resolution, of Alice M. Johnston, applicant, on behalf of J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners (Charles Miller, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.
- CAL. NO. 671-39-BZ—Application, May 22, 1939, under sections 7c and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Artbern Corporation, owner, (Reshen Sons, lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens.
- CAL. NO. 465-39-BZ-WF—Application, April 13, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Estate of Sara V. Bolmer, owner (Daniel G. Bolmer, executor), to permit partly in a business use and partly in a residence use and "C" area district, the erection and maintenance of a parking lot, garage and bus terminal for more than five (5) motor vehicles and, also, the omission of the required rear yard within a "C" area district; premises 120-24 to 120-50 Queens boulevard, south side, 167.45 ft. west of 82nd avenue and 9 Kew Gardens road (Block No. 3358, Lot No. 13), Kew Gardens, Borough of Queens.
- CAL. NO. 797-39-BZ—Application, June 15, 1939, under section 21 of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of Henry Sonn & Co., Inc., owner, to permit in a residence use district, the maintenance of a business use (three (3) stores) in part of the basement story of an existing multiple dwelling; premises 772-778 St. Nicholas avenue, east side, 200 ft. south of West 150th street and 331 Edgecombe avenue, west side, 259 ft. 10 in. south of West 150th street (Block No. 2053, Lot No. 114), Borough of Manhattan.
- CAL. NO. 279-39-BZ—Application, March 6, 1939, under section 7h of the building zone resolution, of George J. Lobenstein, applicant, on behalf of Church Lane Realty Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2228-2238 Church avenue, south side, 213 ft. 8½ in. east of Flatbush avenue (Block No. 5103, Lot Nos. 36, 37, 137, 38, 39 and 40), Borough of Brooklyn.
- CAL. NO. 440-38-BZ—Application, June 2, 1938, under section 7h of the building zone resolution, of Sydne Schleman, applicant, on behalf of Hugh P. Skelly, owner (Marcy Rosen and Louis Ackerholt, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2902-2930 Surf avenue, southwest corner of West 29th street (Block No. 7068, part of Lot No. 1), Borough of Brooklyn.
- CAL. NO. 737-39-BZ—Application, June 3, 1939, under section 7h of the building zone resolution, of Murray Klein, applicant, on behalf of Hein-Nolan Realty Co., Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-125 Bayard street and 441-463 Manhattan avenue, northwest corner (Block No. 2718, Lot No. 14), Borough of Brooklyn.
- CAL. NO. 305-39-BZ—Application, March 11, 1939, under section 21 of the building zone resolution, of Giovanni Cuomo, applicant and owner, to permit in a residence use district and "F" area district, the maintenance of two (2) dwellings not conforming with the setback, side yard, rear yard and, also, occupancy of lot requirements of the building zone reso-

CALENDAR

lution; premises 150-43 to 150-47 114th street, east side, 115.47 ft. north of North Conduit avenue (Old South road); (Block No. 2677, Lot No. 13), Ozone Park, Borough of Queens.

CAL. NO. 585-39-BZ—Application, May 8, 1939, under sections 7a and 21 of the building zone resolution, of Vincent Schiliro, applicant, on behalf of Mary Schnappauf, owner, to permit in a residence use district, the erection and maintenance of a building to be used as a garage (not accessory to the dwelling on the same lot) and, also, for the storage of bottled beverages; premises 70-20 72nd street, west side, 250 ft. north of Central avenue (Block No. 3663, Lot Nos. 18 and 19), Glendale, Borough of Queens.

CAL. NO. 411-39-BZ—Application, March 31, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Violet Bazerman, owner, to permit in a business use district, the extension of an existing gasoline service station; premises 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 17, 1939, 2 P. M.

Appeals from Administrative Decisions

993-39-A—135-02 62nd avenue, south side, 260 ft. west of 136th street (Block No. 6389, Lot No. 1), Flushing, Borough of Queens (under Section 35, General City Law: Re Bed of Mapped Street).

1037-39-A—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

1058-39-A—24 First avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1207-39-A—73 Vesey street, south side, 34 ft. 8 in. west of Greenwich street (Block No. 83, Lot No. 12), Borough of Manhattan.

1218-39-A—164-01 to 164-07 Jamaica avenue and 71-89 164th street, northeast corner (Block No. 866, Lot Nos. 20-23), Jamaica, Borough of Queens.

1222-39-A—3466 Jerome avenue, east side, 228.35 ft. south of East Gun Hill road (Block No. 3327A, Lot No. 100), Borough of The Bronx.

1215-39-A—1535-1541 Third avenue, east side, 78 ft. north of East 86th street (Block No. 1532, Lot No. 4), Borough of Manhattan.

1221-39-A—9413-9423 Shore road, northeast corner of Ridge boulevard (Block No. 6111, Lot No. 1), Borough of Brooklyn.

1235-39-A—641-669 62nd street, north side, 120 ft. west of Seventh avenue (Block No. 5793, Lot No. 52), Borough of Brooklyn.

1083-39-A-WF—113-30 Queens boulevard, northwest corner of 76th road (Block No. 3340, Lot No. 2), Forest Hills, Borough of Queens.

1234-39-A—19-80 Steinway street, northwest corner of 20th avenue (Block No. 811, part of Lot No. 1), Long Island City, Borough of Queens.

1266-39-A—41-11 40th street, southeast corner of Skillman avenue (Block No. 185, part of Lot No. 17), Sunnyside, Borough of Queens.

1267-39-A—41-12 41st street, southwest corner of Skillman avenue (Block No. 185, part of Lot No. 17), Sunnyside, Borough of Queens.

1202-39-A—349 Stanley avenue, north side, 91.08 ft. east of Brighton avenue (Block No. 124, Lot No. 30), New Brighton, Borough of Richmond.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October 17, 1939, at 2 o'clock*, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 79-35-BZ—Application of Stein and Wiener, applicants, on behalf of Patrick Filomino, for Filomino Building Corporation, owner, reopened September 19, 1939, for consideration as to extension of permit — re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the change of occupancy of part of an existing building to a motor vehicle repair shop for a temporary period; premises 3223 Laconia avenue, west side, 81.41 ft. north of Boston road (Block No. 4613, Lot No. 54), Borough of The Bronx.

CAL. NO. 364-36-BZ—Application of Thomas H. Simmons, applicant, on behalf of Joseph Wellner, lessee, for Edbro Realty Co., Inc., owner, reopened September 19, 1939, for consideration as to extension of permit — re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles; premises 31-64 to 31-86 31st street, west side, 100 ft. north of Broadway (Block No. 589, part of Lot No. 9), Astoria, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 20, 1939, 10 A. M.

Rules

1139-39-SR—Proposed Rules for Inspection of Approved Opening Protective Assemblies.

OCTOBER 24, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 24, 1939, at 10 o'clock*, in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

CAL. NO. 1013-38-BZ—Application, November 10, 1938, under section 7h of the building zone resolution, of John Beveridge, applicant and lessee, on behalf of Jesse Knight, Edith Howells, Daisy Howells, American Savings Bank, Ernest Hoehn and Union Dime Savings Bank, owners, to permit in a business use district, the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution; dismissal action rescinded and application restored to calendar); premises 1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21 to 25, inclusive), Borough of Manhattan.

CAL. NO. 739-39-BZ—Application, June 1, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of 1726 Lexington Avenue, Inc., owner (John A. Alexander, lessee), to permit in a business use district, the erection and maintenance of a gasoline service station; premises 130 East 108th street and 1726-1730 Lexington avenue, southwest corner (Block No. 1635, Lot Nos. 57, 156 and 157), Borough of Manhattan.

CAL. NO. 413-39-BZ—Application, March 30, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of New York Rapid Transit Corporation and Brooklyn-Manhattan Transit Company, owners (Gulf Oil Corporation, lessee), to permit partly in a business use district and partly in a residence use district, the extension of a gasoline service station; premises 464-484 Flatbush avenue and 1-33 Ocean avenue, southwest corner (Block No. 5024, part of Lot Nos. 28 and 37), Borough of Brooklyn.

CAL. NO. 552-39-BZ—Application, May 3, 1939, under section 21 of the building zone resolution, of Bernhardt T. Berman, applicant, on behalf of Elias Goldberg, owner, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1028-1030 Utica avenue, west side, 100 ft. south of Tilden avenue (Block No. 4734, Lot No. 11), Borough of Brooklyn.

CAL. NO. 1007-39-BZ—Application, July 27, 1939, under section 7h of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Helen Robertson, Claire F. Schimmel and Excelsior Savings Bank, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2334-2364 Jerome avenue, east side, 96 ft. south of East 184th street (Block No. 3187, Lot Nos. 14 and 21), Borough of The Bronx.

CAL. NO. 742-39-BZ—Application, June 5, 1939, under sections 7c and 21 of the building zone

resolution, of John F. Meehan, applicant, on behalf of F. D. Koehler Co., Inc., owner, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline service station; premises 1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

CAL. NO. 746-39-BZ—Application, June 7, 1939, under sections 7c, 7f and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Brooklyn Development Company, owner (George E. Weidner, lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a golf driving range and accessory club house; premises 2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

Appeal from Administrative Decision

894-39-A—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn (Under Section 35, General City Law, Re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 24, 1939, 2 P. M.

Appeals from Administrative Decisions

1088-39-A—306 West 102nd street, south side, 125 ft. west of West End avenue (Block No. 1889, Lot No. 64), Borough of Manhattan.

1164-39-A—114 West 30th street, south side, 176 ft. west of Sixth avenue (Block No. 805, Lot No. 71), Borough of Manhattan.

1223-39-A—3472 Jerome avenue, east side, 228.35 ft. south of East Gun Hill road (Block No. 3327-A, Lot No. 100), Borough of The Bronx.

1244-39-A—1406-1410 Kings highway, south side, 25 ft. 4¾ in. east of East 14th street (Block No. 6797, Lot No. 101), Borough of Brooklyn.

1062-39-A—115-117 Worth street, northwest corner of Lafayette street (Block No. 170, Lot No. 12), Borough of Manhattan.

1119-39-A—58-64 Clay street, south side, 116 ft. 8 in. west of Manhattan avenue and 1109-1113 Manhattan avenue (Block No. 2487, Lot No. 34), Borough of Brooklyn.

1026-39-A—246 Frost street, south side, 100 ft. west of Kingsland avenue (Block No. 2866, Lot No. 32), Borough of Brooklyn.

1087-39-A—447-459 West 26th street, north side, 125 ft. east of Tenth avenue (Block No. 724, Lot Nos. 7 to 10, inclusive), Borough of Manhattan.

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1219-39-A—440 East 102nd street, southwest corner of East River drive (Block No. 1695, Lot No. 25), Borough of Manhattan.

1162-39-A—8782-8792 26th avenue, southwest corner of Bath avenue (Block No. 6896, Lot No. 41), Borough of Brooklyn.

1211-39-A—43 Crown street, north side, 110 ft. west of Franklin avenue (Block No. 1189, Lot No. 31), Borough of Brooklyn.

1196-39-A—322-328 Dean street, south side, 175 ft. east of Third avenue (Block No. 198, Lot Nos. 15, 17 and 18), Borough of Brooklyn.

1106-39-A—860 Kent avenue, west side, 423.8 ft. south of Park avenue (Block No. 1897, Lot No. 38), Borough of Brooklyn.

1226-39-A—48-06, 48-12, 48-16, 48-20 and 48-24 Fresh Meadow road, northwest corner of Pidgeon Mcadow road and west side of Fresh Meadow road, 91.08 ft., 131.08 ft., 171.08 ft. and 211.08 ft. north of Pidgeon Meadow road (Block No. 5577, Lot No. 35), Flushing, Borough of Queens.

1227-39-A—49-12, 49-16, 49-20, 49-24, 49-28 and 49-32 Utopia parkway, northwest corner of Peck avenue, west side of Utopia parkway, 42 ft., 82 ft. and 122 ft. north of Peck avenue and 102.04 ft. and 146.18 ft. south of Underhill avenue (Block No. 5590, Lot Nos. 19, 50 and 54), Flushing, Borough of Queens.

1228-39-A—49-03, 49-07, 49-11, 49-15, 49-19, 49-23, 49-27 and 49-31 Utopia parkway, southeast corner of Underhill avenue, east side of Utopia parkway, 50 ft., 90 ft. and 130 ft. south of Underhill avenue, 40 ft. 80 ft. and 120 ft. north of Peck avenue and northeast corner of Utopia parkway and Peck avenue (Block No. 5636, Lot Nos. 1, 8 and 12), Flushing, Borough of Queens.

1229-39-A—49-38, 49-42, 49-44, 49-48, 49-52, 49-54, 49-58, 49-62, 49-66 and 49-70 Utopia parkway, southwest corner of Peck avenue, west side of Utopia parkway, 32 ft., 71 ft., 110 ft. and 149 ft. south of Peck avenue, 16 ft., 55 ft., 94 ft. and 133 ft. north of 50th avenue and northwest corner of Utopia parkway and 50th avenue (Block No. 5592, Lot No. 1), Flushing, Borough of Queens.

1230-39-A—49-37, 49-41, 49-45, 49-49, 49-53 and 49-57 Utopia parkway, southeast corner of Peck avenue, east side of Utopia parkway, 50 ft. and 90 ft. south of Peck avenue, 77 ft. and 117 ft. north of 50th avenue and northeast corner of Utopia parkway and 50th avenue (Block No. 5637, Lot No. 1), Flushing, Borough of Queens.

1151-39-A—81-41 102nd avenue, north side, 250 ft. west of 84th street (Block No. 9081, Lot No. 59), Richmond Hill, Borough of Queens.

1159-39-A—176-01 (also known as 175-02) Baisley boulevard, east side, intersection of Baisley boulevard, Irwin place and 120th avenue (Block No. 3180, Lot No. 1), St. Albans, Borough of Queens.

1296-39-A—Northwest corner of 69th place and 60th street (Block No. 2831, part of Lot No. 1), Maspeth, Borough of Queens.

1262-39-A—75-72, 75-68 and 75-64 187th street, northwest corner of Union turnpike and west side of 187th street, 100.18 ft. and 124.35 ft. north of Union turnpike (Block No. 7203, Lot No. 30), Flushing, Borough of Queens.

1263-39-A—75-63, 75-67 and 75-71 187th street, northeast corner of Union turnpike and east side of 187th street, 100.19 ft. and 133.45 ft. north of Union turnpike (Block No. 7204, Lot No. 30), Flushing, Borough of Queens.

OCTOBER 31, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 31, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1222-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Louis Caner, owner, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores); premises 794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

CAL. NO. 794-39-BZ—Application, June 14, 1939, under section 21 of the building zone resolution, of Mayers, Murray and Phillip, applicants, on behalf of Seamen's Bank for Savings, owner, to permit in a residence use district, the erection and maintenance of an electrically illuminated sign; premises 314 West 49th street, south side, 250 ft. west of Eighth avenue and 319-335 West 48th street (Block No. 1039, Lot Nos. 43 and 17), Borough of Manhattan.

CAL. NO. 933-38-BZ—Application, October 11, 1938, under section 7h of the building zone resolution, of George E. McCoy, applicant and lessee, on behalf of Pennsylvania Railroad Company, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 234-236 West 31st street, south side, 400 ft. west of Seventh avenue (Block No. 780, Lot No. 60), Borough of Manhattan.

CAL. NO. 704-39-BZ—Application, May 27, 1939, under section 7h of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Caroline Candidus and Estate of Charles Doscher, owners (Harry Weissler, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more

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than five (5) motor vehicles; premises 698-720 Livonia avenue, south side, between Wyona street and Bradford street, 552-562 Bradford street and 545-555 Wyona street (Block No. 3826, Lot Nos. 21 and 27), Borough of Brooklyn.

CAL. NO. 846-39-BZ—Application, June 23, 1939, under sections 7h and 21 of the building zone resolution, of Amend and Amend, applicants, on behalf of Central Savings Bank in the City of New York, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises South side of East 162nd street, 100 ft. west of Shcridan avenue (Block No. 2460, Lot No. 10), Borough of The Bronx.

CAL. NO. 458-39-BZ—Application, April 6, 1939, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Chassen Bros., owner, to permit in a residence use district, the alteration and conversion of a stable to a bakery; premises 60-17 to 60-25 68th road, north side, 165 ft. east of 60th street and 60-18 to 60-20 68th avenue (Block No. 3513, Lot Nos. 20, 50 and 52), Ridgewood, Borough of Queens.

CAL. NO. 1023-38-BZ—Application, November 15, 1938, under sections 7h and 21 of the building zone resolution, of Catherine Godfrey, applicant and lessee, on behalf of Leonora Brown, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 168-30 89th avenue, southeast corner of 168th place (Block No. 9801, part of Lot No. 51), Jamaica, Borough of Queens.

CAL. NO. 1092-38-BZ—Application of James J. Millman, applicant, on behalf of Sambern Realty Corporation, owner, reopened under new facts May 23, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles, limited to tenants of adjoining apartment houses only (previously denied re public parking lot); premises 167-01 to 167-19 Depot road, north side, entire block, between 167th street and 168th street, 36-27 to 36-39 167th street and 36-34 to 36-42 168th street (Block No. 5294, Lot No. 1 and part of Lot No. 6), Flushing, Borough of Queens.

CAL. NO. 98-39-BZ—Application, January 24, 1939, under section 21 of the building zone resolution, of James A. Pietsch, applicant, on behalf of Kathryn S. Cooke, owner, to permit in a residence use district,

the maintenance of garage space for more than three (3) motor vehicles; premises 205-209 Hart boulevard, east side, 343 ft. south of Forest avenue (Block No. 250, Lot No. 89), West New Brighton, Borough of Richmond.
HARRIS H. MURDOCK, *Chairman.*

OCTOBER 31, 1939, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

925-39-A—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

NOVEMBER 8, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 8, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 766-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Oliver Reagan, applicant, on behalf of Estate of Erskine Hewitt, owner (Norvin H. Green, executor), to permit in a residence use district, the alteration and change of occupancy of an existing building (private stable and dwelling) to office use and dwelling; premises 144 East 39th street, south side, 197 ft. east of Lexington avenue (Block No. 894, Lot No. 56), Borough of Manhattan.

CAL. NO. 836-39-BZ—Application, June 21, 1939, under section 21 of the building zone resolution, of Isidore Wolsk, applicant, on behalf of Gotham Equities Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1793-1799 Eastern parkway, north side, 68.4 ft. west of Dean street and 2348-2354 Dean street (Block No. 1449, Lot Nos. 19 and 21), Borough of Brooklyn.

CAL. NO. 1093-39-BZ—Application, August 17, 1939, under section 21 of the building zone resolution, of Lockwood Greene Engineers, Inc., applicant, on behalf of News Syndicate, Inc., owner, to permit in an unrestricted use district and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building; said extension not conforming with the "B" area requirements of the building zone resolution; premises 684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28, inclusive), Borough of Brooklyn.

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CAL. NO. 1056-39-BZ—Application, August 21, 1939, under section 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of 511 Faile Street Corporation, owner, to permit in a business use district, the erection and maintenance of an iron or steel works; premises East side of Faile street, 200 ft. north of Oak Point avenue (Block No. 2769, Lot Nos. 38-41), Borough of The Bronx.

CAL. NO. 59-39-BZ—Application, January 16, 1939, under section 21 of the building zone resolution, of A. L. Marinelli, applicant, on behalf of Joseph Di Blasi, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 113-01 Northern boulevard, northeast corner of 112th place (Block No. 1707, Lot No. 38), Corona, Borough of Queens.

CAL. NO. 295-39-BZ—Application, March 8, 1939, under sections 7b, 7c and 21 of the building zone resolution, of Louis Danancher, applicant, on behalf of Morris Manes, owner, to permit partly in a business use district and partly in a residence use district, the maintenance of an extension to a business building; premises 113-19 Jamaica avenue, north side, 25 ft. west of 114th street (Block No. 4227, Lot No. 77), Richmond Hill, Borough of Queens.

CAL. NO. 103-31-BZ—Application Lama and Proskauer, applicants, on behalf of Aljac Garage and Repair Shop, Inc., owner, reopened February 28, 1939, under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station (previously granted by the board re garage for more than five (5) motor vehicles); premises 124-17 Metropolitan avenue, north side, 20.68 ft. east of 124th place (Block No. 9243, Lot Nos. 185, 189 and 318), Richmond Hill, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 8, 1939, 2 P. M.

Appeal from Administrative Decision

1237-39-A—679-723 Court street, southeast corner of Bryant street (Block No. 624, Lot No. 1), Borough of Brooklyn.

Variation of the Labor Law

1233-39-S—422 Fulton street, north side, 93 ft. west of Hoyt street (East Building); (Block No. 156, part of Lot No. 1), Borough of Brooklyn.

NOVEMBER 14, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 14, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 479-39-BZ—Application, April 17, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Board of Transportation, City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 209 East Houston street, southeast corner of Ludlow street and 67-79 Essex street, west side, 100 ft. south of East Houston street (Block No. 412, Lot No. 53), Borough of Manhattan.

CAL. NO. 539-39-BZ—Application, April 28, 1939, under section 7h of the building zone resolution, of Albert Homer Swanke, applicant, on behalf of Louis H. Pink, Superintendent of Insurance of the State of New York, as Liquidator of the Lawyers Title and Guaranty Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1455-1465 Madison avenue, east side, from East 100th street to East 101st street, 51 East 100th street and 48-50 East 101st street (Block No. 1606, Lot Nos. 20, 21, 24, 49, 50, 51, 52 and 53), Borough of Manhattan.

CAL. NO. 1098-39-BZ—Application, September 1, 1939, under sections 7b and 7c of the building zone resolution, of LeRoy P. Ward, applicant, on behalf of Society of Illustrators, Inc., owner, to permit partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of an existing building to a club and business use; premises 128 East 63rd street, south side, 80 ft. west of Lexington avenue (Block No. 1397, Lot No. 60), Borough of Manhattan.

CAL. NO. 667-39-BZ—Application, May 22, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Louis Kliegman, owner (Theodore Tannor, lessee), to permit in a business use district, the extension of an accessory building located on an existing gasoline service station; premises 928-932 Stone avenue, northwest corner of Linden boulevard (Block No. 3639, Lot No. 1), Borough of Brooklyn.

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CAL. NO. 52-16-BZ—Application of John Thatcher and Son, Inc., and Wingate and Cullen, applicants, on behalf of Annie McDonald, owner (William Levine, lessee), re-opened June 13, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, a motor vehicle repair shop; said building on same street with public school (permission to erect the building as a garage previously granted by the board); premises 761 Park avenue, north side, 90 ft. east of Rogers avenue (Block No. 1233, Lot No. 81), Borough of Brooklyn.

CAL. NO. 1203-39-BZ—Application, September 29, 1939, under section 7c of the building zone resolution, of Edwin W. Kleinert and A. Stanely Miller, applicants, on behalf of Security Construction Company, owner, to permit the erection of a business building (stores), extending from a business use district into a residence use district; premises 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-01 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens.

Appeal from Administrative Decision

1046-39-A—69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-01 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens (Under Section 35, General City Law re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 5, 1939, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 5, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 10, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, September 26, 1939, and the minutes of the regular meeting of the board held on Tuesday afternoon, September 26, 1939, were approved as printed in Bulletin No. 40, Vol. 24.

BUILDING ZONE CASES

1222-38-BZ.

APPLICANT—Jack Z. Cohen, for Louis Caner, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores).

PREMISES AFFECTED—794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer and Michael Potter.

For Opposition: Allen D. Emil and Hyman H. Zoetl.

ACTION OF BOARD—Laid over to October 31, 1939, at 10 A. M., applicant to submit new plan to building department.

624-39-BZ.

APPLICANT—Lama and Proskauer, for Charlotte Smith, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Anna Arnold and Marc Spar.

ACTION OF BOARD—Laid over to December 5, 1939, at 10 A. M., on request of applicant.

742-39-BZ.

APPLICANT—John F. Meehan, for F. D. Koehler Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline service station.

PREMISES AFFECTED—1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

MINUTES

APPEARANCES—

For Applicant: John F. Meehan and James J. Cole.
For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Laid over to October 24, 1939, at 10 A. M., applicant to submit revised drawings.

819-38-BZ.

APPLICANT—Charles McEvoy (lessee), for Charles Jacobs, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—75-01 Broadway, northeast corner of 75th street (Block No. 1486, Lot Nos. 13, 16 and 18), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Jack Bartley, Charles McEvoy and Thomas McEvoy.

For Opposition: Bernard Rothfeld, Anastasia Chmelik, Marie Synek, Elisa Bastien, Cassius C. Quimby, and others.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(819-38-BZ)

WHEREAS, Charles McEvoy (lessee), for Charles Jacobs, owner, filed September 24, 1938, an application under sections 7H and 21 of the building zone resolution, to permit partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 75-01 Broadway, northeast corner of 75th street (Block No. 1486, Lot Nos. 13, 16 and 18), Jackson Heights, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 10, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a business use district; Roosevelt avenue is in a business use district; 75th street is in a business and residence use district and 76th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated August 25, 1938, reads:

"Your application for certificate of occupancy for parking and storage of more than five motor vehicles at the above location is hereby denied as same is contrary to Article 2, Section 3 and Section 4a, subdiv. 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 126 ft. on Broadway, 102 ft. on 75th street and a distance of 100 ft. along the north lot line. An irregular shaped area at the northeasterly corner of the plot is in a residence use district—the remainder is in a business use district. It is proposed to occupy the plot for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the board and the committee recommends the granting of this variance for a period of two (2) years, inasmuch as it believes there is need for a

parking lot at this location for the present and that the parking lot will not cause any disturbance to residents adjacent thereto, many of whom have consented to this application.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 7h thereof for a period of two years from the date of this resolution, to permit the premises under appeal to be used for the transient parking of more than five (5) motor vehicles, *on condition* that only cars of the pleasure-car type shall be so parked; that the plot shall be leveled substantially to the grade of 75th street, and surfaced with steam cinders, clean gravel or other suitable material properly rolled and bound; that there shall be erected on the interior lot lines, a substantial woven wire fence of the anchor post type, not less than 6 feet in height, except at such points where the unpunctured brick lot line walls of the adjoining buildings occur; that there shall be located on the street building line, a similar fence with no openings therein, except one only located on 75th street; that such entrance shall not exceed 15 feet in width with curb cut opposite of similar width; that such entrance shall not be nearer than 10 feet to the subway entrance; that during the term of this variance, the premises shall be used for no other use than that herein permitted and no building shall be erected thereon except one not exceeding 150 sq. ft. in area and one story in height which may be of frame, located near the entrance, for use as an office and shelter for the attendant; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire fighting appliances shall be maintained as the Fire Commissioner shall direct; that any lights for general illumination shall be on iron post standards with metal reflectors so arranged as to reflect away from adjoining occupancies; that no signs shall be erected except one attached to the fence at the entrance, not exceeding 15 square feet in area and not extending beyond the building line and advertising only the transient parking use; that all permits required shall be obtained and all work involved completed within six months from the date of this resolution.

355-39-BZ.

APPLICANT—Carl F. Grieshaber, for Jeannette E. Thompson and Estate of A. G. Thompson, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the maintenance of garages for the storage of more than three (3) motor vehicles.

PREMISES AFFECTED—South side of St. Johns avenue, 125 ft. west of Bay street (Block No. 2860, Lot Nos. 20 and 39), Rosebank, Borough of Richmond.

APPEARANCES—

For Applicant: Carl F. Grieshaber.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

THE RESOLUTION—

(355-39-BZ)

WHEREAS, Carl F. Grieshaber, for Jeannette E. Thompson and Estate of A. G. Thompson, owners, filed March 21, 1939 an application under the building zone resolution, to permit in a residence use district the maintenance of garages for the storage of more than three (3) motor vehicles; premises: south side of St. John's avenue, 125 ft. west of Bay street (Block No. 2860, Lot Nos. 20 and 39), Rosebank, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular

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meeting, October 10, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that St. John's avenue is in a residence and business use district; Belair road is in a residence and business use district and Bay street is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated March 21, 1939, reads:

"Your application B.N. No. 136-1939 filed on March 21, 1939 by Carl F. Grieshaber, to legalize existing ten (10) garages to house twelve (12) motor vehicles at premises SS. St. John's avenue, 125 ft. west of Bay street, Rosebank, Borough of Richmond, has been denied as it is contrary to Amended Building Zone Resolution Article 2, Section 3, to permit a garage for more than three (3) cars in a residence zone. This location is in a residence zone."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 535 ft. on St. John's avenue, 118 ft. on Bay street and 385 ft. on Bellaire road. Upon the plot there are located eleven frame dwellings and ten (10) frame and stucco garages, have a total frontage of 132 ft. 5 in. on St. John's avenue and are occupied for the storage of twelve (12) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 7-C thereof, to permit the individual garages as shown on plans filed herein to be continued as such, *on condition* that they shall be used solely for the housing of automobiles owned by residents of the buildings facing Bellaire road and located on Lot Nos. 20 and 39; that in all other respects the construction and use of the buildings shall comply with all the requirements therefor; that this variance shall continue only so long as conditions as herein required are complied with; that all permits required shall be obtained and all work completed within six months from the date of this resolution.

425-39-BZ.

APPLICANT—Charles M. Spindler, for Joseph Serpico, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7a of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—807 Metropolitan avenue, north side, 1-5 Bushwick avenue and 18 Maspeth avenue, southeast corner (Block No. 2907, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles M. Spindler.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(425-39-BZ)

WHEREAS, Charles M. Spindler, for Joseph Serpico, owner, filed April 5, 1939, an application under section 7A of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station; premises: 807 Metropolitan avenue, north side, 1-5

Bushwick avenue and 18 Maspeth avenue, southeast corner (Block No. 2907, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, October 10, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bushwick avenue, Maspeth avenue, Metropolitan avenue and Old Woodpoint road are in business and residence use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings, Application No. 13600-39, dated March 22, 1939, reads:

"1. Extending gasoline station in a business zone is contrary to Zone Resolution, Art. II, Sec. 6."

and

WHEREAS, the premises consisted of an irregular shaped plot of ground having a frontage of 67 ft. 9 in. on Bushwick avenue, 45 ft. 11 in. on Metropolitan avenue and 64 ft. 2 in. on Maspeth avenue; upon this plot was located a gasoline service station, established January 22, 1923, and described as commencing on the northeast corner of Bushwick avenue and Metropolitan avenue, north 50 ft. 4 in.; east 70 ft.; south 55 ft., and west 60 ft. to the point of beginning. Due to the widening of Old Woodpoint road and Bushwick avenue at this point, the site now has a frontage of 88 ft. 3 in. on Bushwick avenue, 12 ft. 4 in. on Metropolitan avenue and 28 ft. 3 in. on Maspeth avenue. It is proposed to erect upon the (present) site a one story structure having a frontage of 12 ft. on Maspeth avenue and a depth of 54 ft. 2 in. to be used as accessory store and lubritorium. It is proposed, also, to extend the existing gasoline service station so as to cover the entire plot; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board and the Committee recommended the application be granted and the gasoline station constructed and rearranged, substantially as shown on revised plans.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 21 thereof, to permit the extension in area and the reconstruction and rearrangement of the existing gasoline service station on the plot under appeal, substantially as indicated on revised plans marked "Received October 4, 1939," *on condition* that the plot shall be leveled substantially to the newly established grade of Bushwick avenue and Metropolitan avenue; that the accessory building shall be constructed of fireproof materials, except that the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board; that there shall be no openings in the rear wall to the north or south, opening upon adjoining premises; that the section for lubrication may have doors, provided the lubrication equipment is of the hydraulic type; that no openings shall be installed in the wall adjacent to proposed gasoline pumps within a distance of 5 feet, unless the windows are fixed and constructed of metal frames and sash and glazed with wire plate glass; that the gasoline pumps shall be of the parkway design or a similar design as approved by the Board; that the balance of the plot, where not covered by accessory building, shall be cement paved; that there shall be erected at the intersection of Metropolitan and Bushwick avenues, a cement block not less than 12 inches in height and extending for a distance of not less than 5 feet on Bushwick avenue and not less than 2 feet on Metropolitan avenue; that a similar concrete block shall be constructed at the intersection of Bushwick and Maspeth avenues; that in addition, there shall be a concrete curbing constructed as shown toward the center of the building line toward Bushwick avenue not less than 12 inches in width and 6 inches in height, which may have a rounded top; that such concrete curb shall be constructed integral with the concrete paving

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of the station with suitable reinforcing bars, to insure permanence; that a platform and curb 6 inches higher than the general level of the service space may be constructed as shown and upon which all gasoline pumps are to be erected; that the wall of the adjoining building to east shall be faced with brick or stucco to the height of the parapet of the accessory building, continuously to Metropolitan avenue; that curb cuts shall be restricted to one existing from Metropolitan avenue not over 12 feet in width and two (2) to Bushwick avenue, not exceeding 25 feet wide each and one to Maspeth avenue not exceeding 25 feet in width; that signs shall be restricted to permanent signs attached to the facade of the accessory building, and to the illuminated pumps, excluding any temporary signs and roof signs, except that there may be erected at the intersection of Metropolitan and Bushwick avenues and at the intersection of Maspeth avenue and Bushwick avenue within the building line, post standards supporting signs which may be illuminated, advertising solely the brand of gasoline on sale, permitting such signs to extend beyond the building line for a distance of not more than four feet; that no automobile repairing shall be carried on; that there shall be no parking or storage of cars other than those being serviced; that not more than five gasoline storage tanks shall be installed, meeting the requirements of the Administrative Code therefor; that the revised plans marked "Received October 4, 1939" are hereby approved for design and arrangement as in general compliance with this resolution; that all permits required shall be obtained and all work involved completed within one year from the date of this resolution.

751-39-BZ.

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—921 Hunts Point avenue, south side, from Southern boulevard to Whitlock avenue, 948 Southern boulevard and 987 Whitlock avenue (Block No. 2735, Lot No. 20), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph A. Lynch.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(751-39-BZ)

WHEREAS, Henry C. Brockman, for Gulf Oil Corporation, owner, filed June 7, 1939, an application under sections 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a gasoline service station; premises: 921 Hunts Point avenue, south side, from Southern boulevard to Whitlock avenue, 948 Southern boulevard and 987 Whitlock avenue (Block No. 2735, Lot No. 20), Borough of the Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting October 10, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hunts Point avenue is in a business and residence and unrestricted use district; Southern boulevard is in a business use district; Whitlock avenue is in an unrestricted and business use district and

East 163rd street is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings re N.B. Application No. 446-1939, dated June 1, 1939, reads:

"1. The proposed erection of a Gasoline Service Station, Auto Laundry and Lubratory partly in an unrestricted district and extending into a business district, is contrary to Section 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 205 ft. on Southern boulevard, 62 ft. on Hunts Point avenue and 106 ft. on Whitlock avenue; the easterly portion of the plot is in an unrestricted use district and the westerly portion is in a business use district; the plot is occupied as a used car lot and gasoline service station. It is proposed to remove the structure now on the site; to relocate the pumps; to erect upon the plot a one story accessory building 60 ft. by 75 ft. in area and to occupy the site as a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, to permit the extension of use from the unrestricted area into the business area, substantially as shown on plans filed with this appeal, and permitting the erection of the proposed accessory building and general rearrangement, as indicated on plans filed with this appeal, on condition that all buildings now existing on the premises shall be entirely removed and the plot leveled substantially to the grade of the surrounding streets; that the accessory building shall not be over one story in height with a tower, as indicated, constructed of incombustible materials; that there shall be no windows constructed opening upon adjoining properties to the south; that the room for heater shall be constructed of fireproof materials, separated from the balance of the building and enterable only from the exterior; that the entire plot, where not occupied by accessory building, planting and pumps, shall be cement paved or paved with colprovia or other similar material; that there shall be erected on the southerly lot line, from the accessory building to Whitlock avenue and from the accessory building to Southern boulevard, a masonry wall not less than 7 ft. in height, or in lieu thereof a facing not less than 8 in. in thickness may be constructed against the lot line walls of adjoining buildings and of a similar height, except that such walls, where the walls of buildings do not occur, may be reduced to 4 ft. in height for a distance of not over 5 ft. from Whitlock avenue and 5 feet from Southern boulevard; that gasoline pumps erected shall not be nearer than 15 ft. to any building line and shall be of the parkway type; that planting areas shall be maintained, as indicated on plans and in addition, a larger area shall be maintained toward the southerly part of the plot along Southern boulevard; that curb cuts shall be restricted to two existing curb cuts on Whitlock avenue, one approximately 30 ft. in length and one approximately 35 ft. in length and to four curb cuts along Hunts Point avenue and Southern boulevard, one approximately 21 ft. in length, two approximately 35 ft. each in length and one approximately 27 ft. in length; that no part of any curb cuts shall be within a line 5 ft. from the building line as extended; that a concrete curb shall be maintained around the planted area for protection; that there may also be installed a fuel oil tank, in the event the accessory building is heated by an approved oil burner and there may also be installed a tank of not over 550 gallon capacity, complying with all rules therefor, for receiving refuse crank case oil, which oil shall be removed from the premises periodically, provided that such tanks

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are not located nearer than 50 ft. from each other; that signs shall be restricted to permanent signs attached to the accessory building, excluding all temporary signs and all roof signs, except that a sign, which may be illuminated, may be constructed on the accessory building tower, as indicated, and that there may be constructed within the building line, not more than two post standards each for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that no other use shall be maintained on the premises other than the gasoline station with its accessory building, excluding sale of used cars, parking and storage, except for such cars as are being serviced and excluding automobile repairing; that storage tanks for gasoline may have a capacity of not over 1,000 gallons each, provided in all other respects the tanks comply with the requirements of the Administrative Code therefor, and the construction of the tanks complies as to thickness and construction with tanks of similar capacity, as specified in the Oil Burner Rules of the Board of Standards and Appeals; that not more than eight (8) such tanks shall be installed; that any lights for general illumination shall be on pipe standards with metal reflectors so arranged as to reflect away from the adjoining residential occupancies; that complete working drawings shall be submitted to the Chairman of the Board, for approval in behalf of the Board before same are filed with the Borough Superintendent of Buildings; that after approval of such plans, all permits shall be obtained and all work completed within one (1) year.

1047-39-BZ.

APPLICANT—Theodore F. Price, for Preder Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a garage for more than three (3) cars in a multiple dwelling for the use of the tenants thereof.

PREMISES AFFECTED—Southeast corner of Oxford avenue and West 236th street (Block No. 3409-F, part of Lot No. 430 and part of Lot No. 433), Borough of The Bronx.

APPEARANCES—

For Applicant: Theodore F. Price.

For Opposition: Catherine A. Keely.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1047-39-BZ)

WHEREAS, Theodore F. Price, for Preder Realty Corporation, owner, filed August 17, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a garage for more than three (3) cars in a multiple dwelling, for the use of the tenants; premises: southeast corner of Oxford avenue and West 236th street (Block No. 3409-F, part of Lot No. 430 and part of Lot No. 433), Borough of the Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting October 10, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 236th street, Cambridge avenue and Oxford avenue are in residence and business use districts; and West 235th street is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, Application No. 632-1937, dated September 18, 1939, reads:

"A-20. Proposed garage for more than three (3) cars as accessory use in a residence district not permitted under Sec. 3 of the Building Zone Resolution.

FURTHER NOTE: Approval of the Board of Standards and Appeals required under Sec. 60, Multiple Dwelling Law."

and

WHEREAS, the proposed building is of non-fireproof construction, six (6) stories and cellar in height, with a frontage of 121 ft. on Oxford avenue and 100 ft. on West 236th street to be occupied as a multiple dwelling; part of the cellar story to be occupied for the storage of 28 motor vehicles, for use of tenants of said multiple dwelling; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship; in view of the permissive provisions of section 60 of the Multiple Dwelling Law.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under Section 21 thereof, to permit the construction of the garage substantially as proposed on plans filed herein, on condition that the rear yard shall comply with the requirements of Section 17 of the Zoning Resolution and Section 26 of the Multiple Dwelling Law; that the proposed 6-story building shall be constructed in full compliance with the requirements of the Multiple Dwelling Law and all other laws applicable thereto and that the garage shall comply with the requirements of Section 60 of the Multiple Dwelling Law and all other laws, rules and regulations relating thereto, except that the automatic wet pipe sprinkler system may be one source which may be a connection from the domestic water supply system in the building, but otherwise in conformity with article XV of the Administrative Building Code and that the ventilation system shall exhaust above the roof of the building; that all permits required and all work involved shall be completed within one year from the date of this resolution.

1092-39-BZ.

APPLICANT—Martyn N. Weinstein, for Beech Haven Estates, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a garage for the storage of more than three (3) cars, appurtenant to a multiple dwelling for use of the tenants of such multiple dwelling.

PREMISES AFFECTED—84-49 168th street, east side, 150.82 ft. north of Gothic drive (Block No. 9859, Lot No. 88), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Martyn N. Weinstein.

For Opposition: Councilman J. Burke, Bertram Schwartz, H. F. Murway, Charles Tilgner, Florence A. Morse, Catherine L. Beekert, Bertha A. Dale, and others.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1092-39-BZ)

WHEREAS, Martyn N. Weinstein, for Beech Haven Estates, owner, filed June 14, 1939, an application under section 21 of the building zone resolution and section 60 of the Multiple Dwelling Law, to permit in a residence use

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district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles, appurtenant to a multiple dwelling for use of the tenants of such multiple dwelling; premises: 84-49 168th street, east side, 150.82 ft. north of Gothic drive (Block No. 9859, Lot No. 88), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting October 10, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 168th street, 169th street, 84th avenue and Gothic drive are in a residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, re N.B. 5751-39, dated July 14, 1939, reads:

"Garage on plot with a multiple dwelling must be shown fireproof throughout, including doors and approved by the Board of Standards and Appeals as required by Sec. 60 M.D.L.

Plan indicates 44 garages to be erected—which is contrary to Sec. 3—of the Building Zone Resolution—garages being located in a residence use district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 369 ft. on 168th street and a depth of 230 ft.; upon the northerly portion of the plot there is (under construction) a six (6) story multiple dwelling; upon the southerly portion of the plot it is proposed to erect a one story, fireproof structure 40 ft. by 200 ft. in area to be occupied as 44 individual garages for use of the tenants of the multiple dwelling on the site; and

WHEREAS, it appears that the proposed garage will be located on the same street between two intersecting streets as a public school (Jamaica High School) and that the Board is without power to entertain the application, in view of the prohibition in section 21; and

WHEREAS, the applicant requested permission to withdraw the application after argument.

Resolved, that the application be and it hereby is withdrawn.

Adjourned, 11:45 A. M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 10, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

685-24-BZ.

APPLICANT—William H. Gompert, for Eugene Kienle, owner.

SUBJECT—Application reopened September 26, 1939, for consideration as to extension of time to obtain permits and complete work—re Application (decision of the commissioner of buildings), previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection of a portion of the 3rd story of an existing building used for the manufacture of lithographic ink (permission to erect building was granted by the board).

PREMISES AFFECTED—33-47 Nassau avenue, north side, from Guernsey street to Dobbin street (Block No. 2643, Lot Nos. 30, 31, 32, 33 and 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: William H. Gompert.

For Opposition: None.

ACTION OF BOARD—Time extended.

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0
Absent 0

THE RESOLUTION—

(685-24-BZ)

WHEREAS, this application affecting premises 33-47 Nassau avenue, north side, from Guernsey street to Dobbin street (Block No. 2643, Lot Nos. 30, 31, 32, 33 and 36), Borough of Brooklyn, was granted by the Board July 29, 1924, on certain conditions, resolution amended March 16, 1937, and applicant requested an extension of time to obtain permits and complete the work; and

WHEREAS, this application was reopened by vote of the Board, September 26, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting October 17, 1939, after due notice by publication in the bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of July 29, 1924, as amended by resolution adopted by the board on March 16, 1937, only so far as it refers to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"That all permits required shall be obtained and all work completed within one year from the date of this amended resolution."

167-34-BZ.

APPLICANT—Insular Realty Corporation, owner.

SUBJECT—Application reopened September 12, 1939, re extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the change of occupancy of an existing building to a motor vehicle repair shop for a temporary period.

PREMISES AFFECTED—1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Borough of Brooklyn.

APPEARANCES—

For Applicant: Andrew Ciafalo.

For Opposition: None.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(167-34-BZ)

WHEREAS, this application affecting premises: 1775-1777 Coney Island avenue, east side, 365 ft. south of Avenue "N" (Block No. 6749, Lot No. 78), Borough of Brooklyn, was granted by the Board October 9, 1934, on certain conditions, resolution amended March 16, 1937, and owner requests an extension of permit; and

WHEREAS, this application was reopened by vote of the Board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting October 17, 1939, after due notice by publication in the bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of October 9, 1934, as amended by resolution adopted by the board on March 16, 1937, only so far as it refers to the term of the permit, so that as amended this portion of the resolution shall read:

"Granted for a period of two years from the date of this amended resolution."

181-39-BZ.

APPLICANT—Joshua Hochstein, for Frances Landa and Fannie Hochstein, owners (request for restoration to calendar made by Martin M. Rice, attorney).

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SUBJECT—Application for consideration—reopening and restoration to calendar, having been previously dismissed for lack of prosecution—(re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop, machine shop and garage for more than five (5) motor vehicles.

PREMISES AFFECTED—45-37 to 45-55 50th (Fitting) street, east side, 400 ft. south of Queens boulevard (Block No. 2283, Lot No. 1), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Martin Rice.

ACTION OF BOARD—Application reopened and restored to calendar, subject to usual procedure.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

509-20-BZ.

APPLICANT—Interborough Engineering Company, for Ben Beyer Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re decision of the borough superintendent of buildings—re Application, granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the alteration and installation of a gasoline service station in an existing garage for more than five (5) motor vehicles.

PREMISES AFFECTED—1201-1219 Coney Island avenue, east side, 240 ft. north of Avenue I (Block No. 6695, Lot Nos. 61 and 66), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. Perotto.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(509-20-BZ)

WHEREAS, this application affecting premises 1201-1219 Coney Island avenue, east side, 240 ft. north of Avenue I (Block No. 6695, Lot Nos. 61 and 66), Borough of Brooklyn, was granted by the board October 13, 1920, resolution amended December 19, 1933, May 29, 1934, March 5, 1935, June 18, 1935 and April 14, 1936, and present owner, through his architect, requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on December 19, 1933 as amended February 17, 1934, June 18, 1935 and April 14, 1936, so that as amended, resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the side and rear walls of the structure shall be unpierced throughout their entire height and length that any skylights that may be placed on the roof shall be glazed with double thick glass and protected by wire screens above and below, that the front wall of the building may be reconstructed at a

point 25 ft. back from the street building line of Coney Island avenue so as to provide a gasoline selling station, generally as indicated on plans filed September 27, 1933: that there shall be no additional openings to the main garage other than as indicated thereon; that this wall shall be constructed of masonry and that the windows may have pivoted ventilating sections constructed of fireproof material, glazed with wire glass; that three greasing hoists may be erected toward the northerly end as indicated, 30 ft. in width; that the gasoline pumps that are erected shall be not nearer than 10 ft. to the street building line nor to the building; that there shall be erected on the street building line a concrete curb, not less than 5 in. in height, with rounded top and 12 in. in width, with not over three openings therein; no opening to exceed 20 ft. in width and no part of any opening to be nearer than 10 ft. from the interior lot lines of the property northerly and southerly; that opposite these openings there shall be openings in the street curb not exceeding 25 ft. in width; that there shall be no portable gasoline tanks used on or from the premises; that advertising signs shall be limited to the illuminated globes of the gasoline pumps and to a permanent flat sign attached to the front portion of building, with not more than one (1) sign extending beyond the building line, provided such sign is not less than 11 ft. above sidewalk and does not extend beyond the building line more than seven (7) feet and advertises only the name of the garage and the brand of gasoline for sale, excluding all roof signs and all signs of a temporary nature; that there shall be no roof over this gasoline selling area except over the greasing racks, which shall be screened from Coney Island avenue by a brick wall on the building line as indicated; that this entire gasoline area shall be cement paved; that all walls exposed to view from Coney Island avenue shall be faced with common brick; stuccoed; that plans as submitted February 5, 1935 are approved as complying with the provision of the resolution; that an accessory and showroom space may be constructed at the south end of the gasoline selling alcove and plans submitted June 5, 1935 are approved.

Resolved further, that in the event the owner desires to install two (2) additional gasoline storage tanks in addition to the five (5) existing tanks, as indicated on plan marked 'received October 3, 1939,' such additional tanks may be installed, provided they comply with all the requirements therefor."

185-27-BZ.

APPLICANT—Interborough Engineering Co., for Koff and Kantor, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re decision of the acting borough superintendent of buildings re Application, granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the extension of an existing gasoline service station the board having previously granted this gasoline service station and also a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—3602-3612 Snyder avenue, southeast corner of Brooklyn avenue (Block No. 4907, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. Perotto.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

MINUTES

THE RESOLUTION—

(185-27-BZ)

WHEREAS, this application, affecting premises 3602-3612 Snyder avenue, southeast corner of Brooklyn avenue (Block No. 4907, Lot No. 1), Borough of Brooklyn, was granted by the board June 7, 1927, on certain conditions, permitting in a business use district the erection and maintenance of a gasoline service station and a garage for more than five motor vehicles; and

WHEREAS, plans were approved November 15, 1927; and

WHEREAS, the resolution was amended July 13, 1937 and applicant requested a further amendment.

Resolved, that the resolution adopted by the Board on June 7, 1927, as amended by resolution adopted by the Board on July 13, 1937, be and it hereby is further amended, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulation of the building zone resolution and that the application be and it hereby is *granted on condition*, that the proposed building shall not exceed one story in height, above grade, that the gasoline service station shall be located on the Canarsie avenue frontage of the premises; that the southerly rear wall shall be unpierced throughout its entire height and length; that there shall be no portable gasoline tanks used or maintained on the premises; that the street fronts of any structure erected on these premises, shall be finished in face brick with architectural terra cotta or stone trim; that upon the closing of Canarsie avenue and the reversion to this owner of one-half the width thereof, such former portion of Canarsie avenue as is indicated on plans marked 'Received May 25, 1937' may be used in part as an extension of the gasoline service station; that the accessory building for greasing may be extended to the easterly property line, as indicated on such plans, *on condition* that this added portion of the gasoline selling area shall be cement paved and that entrances shall not exceed those now existing to Snyder avenue and to Brooklyn avenue, except that the present office along Brooklyn avenue, may be removed when the greasing pits are changed to the new location, so as to provide a space for entrance from Brooklyn avenue, which shall not exceed 25 feet in width; that to the south of the extension of the greasing building, the former portion of Canarsie avenue shall remain vacant and shall not be used for the storage of cars or materials and shall be cut off from adjoining property at the south by means of a substantial fence from the southerly wall of the garage to the cemetery wall; that in all other respects than as herein permitted, the requirements of the resolution adopted by the board on June 7, 1927, as modified by plans approved November 15, 1927, shall be complied with.

Resolved further, that in the event the owner desires to install additional gasoline storage tanks, four (4) additional tanks may be installed in addition to the four (4) existing gasoline tanks, as indicated on plan marked 'Received October 3, 1939,' on condition that such tanks comply in all respects with all requirements therefor."

532-32-BZ.

APPLICANT—Sidney L. Strauss, for Frank Fischer, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings) under sections 7a and 21 of the building zone resolution, permitting in a business use district, the change in area and construction of a gasoline service station.

PREMISES AFFECTED—31-04 Astoria avenue and 25-25 31st street, southeast corner (Block No. 620, Lot Nos. 24 and 25), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(532-32-BZ)

WHEREAS, this application affecting premises southeast corner of Astoria avenue and 31st street (Block No. 620, Lot Nos. 24 and 25), Astoria, Borough of Queens, was granted by the board at its meeting March 14, 1933, on certain conditions, and applicant requested a modification of the time limit, which was granted by the board June 27, 1933, resolution amended December 12, 1933 and May 3, 1938, and applicant now requests a further amendment.

Resolved, that the resolution adopted by the board March 14, 1933, as amended December 12, 1933 and May 3, 1938, be and it hereby is amended to read as follows: "*granted*, incorporating into the present gasoline station area a triangular plot front for a distance of 108 ft. 1½ in. on 31st street and reducing the size of the plot, because of the portion taken for the widening of Astoria avenue, as indicated on plans marked 'Received November 17, 1933,' so that as reduced the plot will have a frontage on 31st street of 73.89 ft., on Astoria avenue 52.27 ft. and on the rear lot line 94.90 ft., *on condition* that all existing buildings on the plot shall be demolished and new buildings constructed against the easterly and southerly lot lines, in general conformity with the plans marked 'Received November 17, 1933'; that such accessory buildings shall be not over one story in height and shall include an office, greasing sections, laundry section and section for sales of accessories; that all these buildings shall be constructed as to their sides facing the public highways with face brick or architectural terra cotta, properly coped with stone or glazed terra cotta; that the fronts of the greasing sections shall be left open; that all skylights shall be glazed with thin glass, with screens over and under, and at least 5 ft. from any lot line; that these buildings shall be constructed of fireproof and incombustible materials, except that the roofs may be constructed of wood timbers and wood boarding, provided the ceilings underneath same are fire-retarded in accordance with the rules of the Board of Standards and Appeals and the roofs surfaced with incombustible material; that a wall not less than 7 ft. 6 in. in height shall be erected on such portions of the interior lot lines as are not taken up with walls of accessory buildings, constructed of face brick or terra cotta to match the accessory buildings and similarly coped; that these walls may rack back, starting from the new line of Astoria avenue, with a wall not less than 4 ft. in height and graduated at the rate of one foot in four to the height of 7 ft. 6 in.; that the entire area not covered by accessory buildings shall be cement paved; that a concrete curb not less than 12 inches in width and 6 inches in height with rounded top shall be constructed and maintained for a distance of not less than 5 ft. from the easterly lot line along Astoria avenue and the westerly lot line on 31st street and that a block of concrete not less than 12 inches in height and segmentally formed shall be constructed at the intersection of 31st avenue and Astoria avenue, extending either way from the intersection for a distance of 5 ft.; that there shall be no excavation under any of the accessory buildings except the pits for the greasing stands; that no open flame shall be permitted on the premises; that no automobile repair work shall be done on the premises except such as may be readily done with the use of hand tools; that signs advertising non-conforming uses shall be restricted to the globes of the gasoline pumps and to permanent flat wall signs attached to the facades of the accessory buildings and to the interior side of the lot line walls;

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that all gasoline pumps shall be set back at least 10 ft. from the street line and not nearer than 10 ft. to any portion of the accessory building; that no portable gasoline tanks shall be used on or from the premises; that lights for general illumination shall be on pipe standards with metal reflectors so arranged as to shine downwardly; that the boiler for heating purposes shall be located in the southernmost section and that the floor of same may be depressed not over 4 ft., sufficient to permit the return lines from the radiators; that the heating shall be of a method not requiring a forced draught; that plans shall be submitted to the board for approval by the chairman of the board in behalf of the board before submission to the commissioner of buildings; that revised plans marked 'Received May 3, 1938' may be approved as provided in the resolution as amended December 12, 1933, if in general compliance with the conditions therein set forth, and permitting the reduction in number of pumps and permitting closure doors on the lubricating section of accessory building, provided exhaust fan with ventilating ducts through the roof are provided; also permitting mezzanine section over the office portion of the accessory building, provided same is used for storage of tires only and similar non-combustible material; and that all permits shall be obtained and all work completed within one year from the date of this amended resolution."

306-37-BZ.

APPLICANT—Lawrence R. Condon, for Charles J. Johnson, for Estate of Mary E. O'Keefe and May E. Curry, et al, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, permitting in a retail use district, the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—238-242 West 50th street, south side, 125 ft. east of Eighth avenue (Block No. 1021, Lot Nos. 57, 58 and 59), Borough of Manhattan.

APPEARANCES—

For Applicant: Osborne A. McKegney.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(306-37-BZ)

WHEREAS, Charles J. Johnson, for Estate of Mary E. O'Keefe and May E. Curry, et al., owners, filed June 16, 1937 an application under the building zone resolution to permit in a retail use district the parking of more than five motor vehicles; premises: 238-242 West 50th street, south side, 125 ft. east of Eighth avenue (Block No. 1021, Lot Nos. 57, 58 and 59), Borough of Manhattan; and

WHEREAS, this application was granted by the Board October 26, 1937, on certain conditions and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of October 26, 1937, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, to permit Lots 57 and 59 to be used for transient parking of more than five motor vehicles under section 7-H of the building zone resolution for a period of two years from the date of this amended resolution and to permit the unoccupied rear portion of Lot 58 to be used in conjunction therewith, on condition that during the

term of this variance the plot shall be used for no other use except the transient parking of cars and the business use as a restaurant on the front portion of Lot 58; that no storage of automobiles shall be carried on and no repairing or servicing, or sale of automobile supplies of any nature; that the entire plot shall be leveled generally to the grade of West 50th street and covered with steam cinders properly rolled and bound to prevent dusting, or similar surfacing; that the entrance to the premises shall not exceed two curb cuts, not exceeding 20 ft. in width each; that there may be erected as indicated on plans filed with this application, a one-story building to be used as an office for the attendant, not exceeding 10 x 15 ft. in area and one story in height; that there shall be erected on the interior lot lines where walls of adjacent buildings do not occur, a substantial woven wire fence and that there shall be erected on the street line, a substantial wall or heavy steel picket fence except where the entrances, restaurant building and office occur; that signs advertising the parking use shall not exceed those now in existence, as indicated on photographs filed with this application; that lights for illumination shall be so arranged as to reflect downwardly and away from adjoining uses; that all permits required shall be obtained within three months and all work completed within six months from the date of this amended resolution."

320-37-BZ.

APPLICANT—Russell G. Cory, for Bronxville Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 7a of the building zone resolution, permitting in a business use district, the extension in height of an existing factory building.

PREMISES AFFECTED—901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Block No. 4864, part of Lot No. 35), Borough of The Bronx.

APPEARANCES—

For Applicant: Walter Ritz.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(320-37-BZ)

WHEREAS, this application affecting premises 901 E. 228th street, east side of Bronxwood avenue between East 228th street and East 229th street (Building No. 2); (Block No. 4864, part of Lot No. 35), Borough of The Bronx, was granted by the board October 19, 1937, on certain conditions, time extended October 4, 1938, and applicant requested a further extension of time to obtain permit and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of October 19, 1937, only so far as it refers to the time within which to complete work, so that as amended this portion of the resolution will read: "that all permits shall be obtained and all work completed within one year from the date of this amended resolution."

527-37-BZ.

APPLICANT—Louis E. Ordwein, for The Bank for Savings in The City of New York, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings) under section 7h of the

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building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—144-150 East 43rd street, south side, 100 ft. west of Third avenue (Block No. 1297, Lot Nos. 41, 43 and 45), Borough of Manhattan.

APPEARANCES—

For Applicant: David Weinberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(527-37-BZ)

WHEREAS, Abraham L. Hyman, for 670 Third Avenue Corporation, owner, filed November 9, 1937, an application under the building zone resolution to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 144-150 East 43d street, south side, 100 ft. west of Third avenue (Block No. 1297, Lot Nos. 41, 43 and 45), Borough of Manhattan; and

WHEREAS, this application was granted by the Board July 19, 1938, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on July 19, 1938, be and it hereby is amended, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 7, subdivision H, for a period of two years from July 19, 1938, permitting the vacant portion of the plot under appeal to be occupied for parking and storage of more than five motor vehicles, on condition that only motor vehicles of the pleasure-car type shall be so stored and parked; that the plot shall be levelled substantially to the grade of the inner edge of the sidewalk on East 43rd street and shall be surfaced with steam cinders or clean gravel or other suitable clean material, properly rolled and treated with a binder to prevent dusting; that on the interior lot lines, where the walls of adjoining buildings do not occur, there shall be erected a substantial woven-wire fence not less than 6 ft. in height, except that the wood fence on the southerly lot line now existing may remain if substantially constructed; that a similar woven-wire fence shall be constructed on the street line, except at a point opposite the entrance, consisting of a 32-ft. existing curb cut, towards the east; that at all times proper aisles shall be maintained for the easy exit and entrance of automobiles; that no additional buildings shall be erected on the premises during the term of this variance; that the two-story frame office, shown on the plans filed with this appeal, shall be removed; that during the term of this variance, that portion of the plot herein permitted for parking and storage shall be used for no other use; that no car washing or automobile repairing shall be carried on; that no signs advertising parking use, other than the existing sign reading "Parking" shall be permitted; that such portable fire-fighting appliances shall be maintained on the premises as the Fire Commissioner shall direct; that no Certificate of Occupancy shall be issued until the conditions of this resolution are complied with.

Resolved further, that in the event the new owners, the Bank for Savings of the City of New York, desire to construct a one story taxpayer on the adjoining

property, corner of Third avenue and East 43rd street, and to extend such taxpayer into the plot permitted by the Board to be used for parking, for a distance of 20 ft. along East 43rd street and a depth of 30 ft., such space may be taken from the area permitted for parking, on condition that the resolution adopted by the Board on July 19, 1938 shall be complied with in all other respects."

416-38-BZ.

APPLICANT—Emanuel H. Jerabek, for Josephine Pokorny, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, permitting in a business use district, the extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, a motor vehicle repair shop.

PREMISES AFFECTED—162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Emanuel H. Jerabek.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(416-38-BZ)

WHEREAS, Emanuel H. Jerabek, for Josephine Pokorny, owner, filed May 27, 1938, an application under the building zone resolution, to permit, in a business use district, the extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop; premises: 162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens; and

WHEREAS, this application was granted by the board October 18, 1938, on certain conditions, resolution amended December 13, 1938, and February 21, 1939, and applicant requested a further amendment of the resolution and approval of plans.

Resolved, that the resolution adopted by the board on October 18, 1938, as amended December 13, 1938, and February 21, 1939, be and it hereby is further amended so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 21, to permit the existing gasoline station and automobile repair shop to be reconstructed and rearranged substantially as indicated on revised plans marked 'Received October 18, 1938,' on condition that all structures now existing on the premises shall be entirely removed; that the plot now used as a gasoline station, shall not be further extended; that only one new structure shall be constructed, one and two stories in height, to be occupied on the ground floor for repair shop and garage for more than five (5) motor vehicles, and on the 2nd story as living quarters for the owner; that this building shall be constructed with brick walls and shall comply in all respects for a Class 3 building, except that the ceiling of the garage portion shall be

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fire-retarded with metal lath and 3/4-inch cement plaster throughout and any exit from the 2nd story shall be enclosed on the 1st story with walls or partitions of similarly fire-retarded construction on both sides and provided there is also installed within the 1st story directly under the portion to be used for living quarters, sprinkler heads fed by a street tap, not less than 1 inch in diameter, that plans showing the lay-out of the sprinkler equipment shall be submitted to the board for approval prior to filing with the borough superintendent; that in the event the owner desires to construct the floor under the portion to be occupied for residential purposes of Class 1 construction in place of installing the fire-retarding and sprinkler system, as hereinbefore required, such construction may be substituted therefor; that any skylights in the rear portion shall be glazed with plain glass with screen over and under; with no skylight nearer than 5 ft. to any portion of the 2nd story; that window frames and sash, door frames and doors may be of wood; that the entire plot shall be graded substantially to the grade of Fresh Meadow road, and where not occupied by walls and accessory buildings, such portion shall be cement paved; that on the interior lot lines there shall be erected a substantial woven-wire fence of the anchor post type, not less than 6 ft. in height, except where rear walls of accessory buildings occur; that gasoline pumps shall be erected not nearer than 10 ft. to the new street line of Fresh Meadow road; that curb cut entrances shall not exceed those now existing, which consist of two, one forty ft. in width and one thirty ft. in width, as covered by existing permits; that all signs shall be restricted to permanent signs attached to accessory building and to the globes of the gasoline pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line of one post standard for supporting a sign, which may be illuminated and advertising only the brand of gasoline sold, provided no sign extends beyond the building line for a distance of more than 4 ft.; that there shall be no parking or storage of cars on the property other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; and that all permits shall be obtained and all work shall be completed within one year from December 13, 1938; that the plans marked 'Received February 7, 1939' are hereby approved as to general location of the sprinkler heads, as above required in this resolution, but not requiring that the sprinkler requirements of the building code to be complied with as to automatic alarm or siamese connection.

"Resolved further, that in the event the owner desires to retain the building formerly used as a two car metal garage at the rear of the premises to the north, that such building may be permitted for a term of two (2) years, provided such building is used solely for the storage of household goods and tools and in no way connected with the operation of the gasoline station and garage; that the required cement paving may be omitted for a width of 10 ft. parallel to the southerly lot line, provided such space is planted and maintained as a garden, and a similar space, for a width of 20 ft. may be so maintained along the rear or westerly side."

552-38-BZ.

APPLICANT—Carl J. Austrian, for The Bank of United States, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, permitting partly in an unrestricted use district and partly in a residence use district and, also "B" area district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the omission of the required rear yard.

PREMISES AFFECTED—777 Sheridan avenue, west side, 152.59 ft. north of East 156th street (Block No. 2458, Lot No. 124), Borough of The Bronx.

APPEARANCES—

For Applicant: E. Stanley Marks.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

THE RESOLUTION—

(552-38-BZ)

WHEREAS, W. J. Cherry, for Antur Holding Corporation, c/o N. Y. State Banking Dept. (Bank of U. S.), owner, filed June 28, 1938, an application under the building zone resolution, to permit partly in an unrestricted use and partly in a residence use district, and also "B" area district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the omission of the required rear yard; Premises: 777 Sheridan avenue, west side, 152.59 ft. north of East 156th street (Block No. 2458, Lot No. 124), Borough of The Bronx; and

WHEREAS, this application was granted by the board November 9, 1938, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 9, 1938, only so far as it refers to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"That all permits required shall be obtained and all work involved completed within one year from the date of this amended resolution."

66-39-BZ.

APPLICANT—Slee and Bryson, for Frank Saccardi and Lauretta Saccardi, owners.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district, the conversion of occupancy of part of an existing building to a gasoline service station.

PREMISES AFFECTED—7423 (7421 displayed) 15th avenue and 1501 Bay Ridge parkway (75th street), northeast corner (Block No. 6213, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: John B. Slee and C. E. Blomberg.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
Absent 0

THE RESOLUTION—

(66-39-BZ)

WHEREAS, Slee and Bryson, for Frank Saccardi and Lauretta Saccardi, owners, filed January 17, 1939, an application under sections 7a, 7c and 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of part of an existing building to a gasoline service station, affecting premises 7423 (7421 displayed) 15th avenue and 1501 Bay Ridge parkway (75th street), northeast corner (Block No. 6213, Lot No. 1), Borough of Brooklyn; and

WHEREAS, this application was granted by the board May

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9, 1939, on certain conditions, resolution amended July 18, 1939, and applicant requested an extension of time.

Resolved, that the resolution adopted by the board on May 9, 1939, as amended by resolution adopted July 18, 1939, be and it hereby is *further amended*, only so far as it has reference to obtaining permits and completing work, so that as amended this portion of the resolution will read:

"That all permits shall be obtained and all work completed within six (6) months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS

386-39-A.

APPLICANT—Leonard A. Swarthe for Nellie Mohr, lessee (Anna Rosenzweig, owner).

SUBJECT—Appeal from the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—41-45 Elliott place, northwest corner of Walton avenue (Block No. 2842, Lot No. 22), Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard A. Swarthe.

ACTION OF BOARD—Appeal placed on Reserve Calendar, pending Court decision on a similar case.

696-39-A.

APPLICANT—George G. Lake for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Ivan Slepak.

For Opposition: Joseph Ferber.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 31, 1939 at 2 P. M., on request of attorney for owner, pending decision of Appellate Division.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Ivan Slepak.

For Opposition: Joseph Ferber.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 31, 1939 at 2 P. M., on request of attorney for owner, pending decision of Appellate Division.

925-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property lessee.

OWNER OF PREMISES—The Salvation Army.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 21124-36.

PREMISES AFFECTED—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

APPEARANCES—

For Applicant: Ivan Slepak.

For Opposition: Joseph Ferber.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 31, 1939 at 2 P. M., on request of attorney for owner, pending decision of Appellate Division.

1088-39-A.

APPLICANT—Lynwood Nursing Home, Inc., lessee, for Richland Estates, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—306 West 102nd street, south side, 125 ft. west of West End avenue (Block No. 1889, Lot No. 64), Borough of Manhattan.

APPEARANCES—

For Applicant: William F. Marquette.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to October 24, 1939 at 2 P. M., for further consideration by the Board.

1111-39-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer for Alfred Rader, acting borough superintendent, for Department of Housing and Buildings, Borough of Brooklyn.

OWNER OF PREMISES—William Crystal and Anna Crystal (Samuel Budoff, lessee).

SUBJECT—Application for the revocation of Certificate of Occupancy No. 66349 and permit 11430-31.

PREMISES AFFECTED—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Owner: R. V. L. Strelzer.

ACTION OF BOARD—Laid over to October 17, 1939 at 2 P. M., on request of attorney for owner of premises.

1207-39-A.

APPLICANT—William J. Minogue, for Henry C. Carpenter and Elizabeth C. Meeker, owners (Joseph Costa, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—73 Vesey street, south side, 34 ft. 8 in. west of Greenwich street (Block No. 83, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant: William J. Minogue.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 17, 1939 at 2 P. M., for further consideration by the Board.

703-39-A.

APPLICANT—Michael Marlo, for Rolip Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—57-69 Caton place, north side, 50 ft. east of East 8th street and 13-23 Ocean parkway (Block No. 5322, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Marlo.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application to reopen withdrawn. THE VOTE TO WITHDRAW REQUEST TO REOPEN—

MINUTES

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

752-39-A.

APPLICANT—Triangle Steel Products Corporation, lessee, for Max Dorf, owner.

SUBJECT—Appeal reopened July 18, 1939 re Appeal from an order of the fire commissioner (previously dismissed for lack of prosecution).

PREMISES AFFECTED—245 Russell street, northeast corner of Meserole avenue (Block No. 2628, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. M. Seer.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief Walsh 1

873-39-A.

APPLICANT—Irving Adelsolm, for Sisters of the Poor of St. Peter's Hospital, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—110-126 Congress street, southeast corner of Hicks street (Block No. 300, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

1101-39-A.

APPLICANT—Robert M. Byers, for Arnold W. Sherman, owner.

SUBJECT—Appeal from a decision of the deputy commissioner, division of housing, department of housing and buildings.

PREMISES AFFECTED—597 Greene avenue, southwest corner of Tompkins avenue (Block No. 1799, Lot No. 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert M. Byers.

For Administration: Inspector Maher, Tenement House Department.

ACTION OF BOARD—Appeal withdrawn. Applicant to confer with the Department of Housing and Buildings.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

1177-39-A.

APPLICANT—Mark J. Joseph, for 60-19 Roosevelt Corporation, owner (Paprin's Restaurant, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—60-19 to 60-21 Roosevelt avenue, northeast corner of 60th street (Block No. 1229, Lot No. 16), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Mark J. Joseph.

ACTION OF BOARD—Appeal withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

581-39-A.

APPLICANT—Leonard A. Swarthe, for A. Lewitus, tenant lessee (A. H. Haskell, owner).

SUBJECT—Appeal from a decision of the deputy commissioner, division of housing, department of housing and buildings.

PREMISES AFFECTED—1510 Jessup avenue, east side, 884 ft. south of Featherbed lane (Apartment 1-J); (Block No. 2872, Lot Nos. 287, 293, 296, 298, 299 and 300), Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard A. Swarthe.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(581-39-A)

WHEREAS, Leonard A. Swarthe for A. Lewitus, tenant lessee (A. H. Haskell, owner), filed on May 4, 1939, an appeal from a decision of the Deputy Commissioner, Division of Housing, Department of Housing and Buildings, affecting premises 1510 Jessup avenue (Apartment 1-J), east side, 884.8 ft. south of Featherbed lane (Block No. 2872, Lot Nos. 287, 293, 296, 298, 299 and 300), Borough of The Bronx; and

WHEREAS, the decision of the Deputy Commissioner, Division of Housing, Department of Housing and Buildings, dated April 4, 1939, reads:

"In reply to your communication of March 29, 1939, requesting dismissal of item 10, please be advised that same is herewith denied for the reason that this is in violation of the Zoning Resolution in that business (massage and reducing) is being conducted in above premises with signs displayed indicating such business."

and

WHEREAS, the building is 6 stories (63.7 ft.) in height, 150 ft. by 96.6 ft. in area; of Class 3 construction; erected in 1928; located in a residence use district; occupied throughout as a multiple dwelling; and

WHEREAS, the applicant contends that the lessee of this apartment occupies the 3 room apartment as a residence using the living room only as an establishment for massage and reducing treatment and does not employ any outside help and that such use is an accessory use customarily incident to a resident use and should be permitted under article 2, section 3 of the building zone resolution; and

WHEREAS, these premises were inspected by a committee of the board, report of which inspection reads:

REPORT OF COMMITTEE

Oct. 9, 1939.

Re: Cal. No. 581-39-A

1510 Jessup Avenue, Bronx.

This appeal is from the decision of the Division of Housing of the Department of Housing and Buildings, as to the occupancy of Apartment 1-J on the first floor of the Multiple Dwelling for "massage and reducing." It is claimed that this is business and is consequently prohibited in the residential area in which the building is located.

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Upon inspection by a Committee of the Board it was found the apartment is occupied as the living quarters of the tenant who also maintains in the front room equipment and facilities for massaging. He holds a license issued by the Department of Licenses and displays a diploma from a school in which he took a course in massage. No assistants are employed; signs are displayed in the window. It is claimed that customers or patients are sent only on the prescription of doctors and a number of such prescriptions were exhibited to the Committee.

There can be no question as to the right of a doctor or dentist maintaining his offices in his residence. The Court of Appeals has declared in *Fullam vs. Kelly* that an instructor in singing could maintain his studio in his residence in an area zoned for residential use, on the ground that teaching of singing or of music is a *profession*, and is not a business, trade or industry. The appeal in question can, in the opinion of the Committee, be classed in the same category, as long as no help is employed and the signs are restricted in size totalling not over one square foot, exhibited in the front window of the apartment. The recommendation of the Committee in this appeal would apply to other instances as to a masseur of this type maintaining his office in his own residence, but should not be taken to include any other occupancy which might be considered similar unless such type of occupancy is specifically passed on by the board.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

Resolved, that the decision of the deputy commissioner of housing, department of housing and buildings, dated April 4, 1939, be and it hereby is *reversed*, and the appeal be and it hereby is *granted* in accordance with the recommendation of the committee.

906-39-A.

APPLICANT—August Evers, for Rehm and Evers, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: August Evers.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(906-39-A)

WHEREAS, August Evers, for Rehm and Evers, owners, filed July 5, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 419-423 East 24th street, north side, 275 ft. east of First avenue (Block No. 956, Lot No. 13), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, on Violation No. 2223-38, dated June 5th, 1939, reads:

"Provide iron or kalamein shutters in metal kalamein frames and sashes with wire glass for exposure windows at north and east side of building. Section 10.7.1, Building Code."

and

WHEREAS, the building is 5 stories (73 ft.) in height,

75 ft. by 85 ft. 9 in. in area, of non-fireproof construction, located in an unrestricted use district, erected in 1902, and occupied: Cellar—vacant; 1st floor—mfg. of carbonated beverages, 6 persons; 2nd floor—same, 5 persons; 3rd floor—vacant; 4th floor—experimental laboratory for lastex, 5 persons; 5th floor—vacant; and

WHEREAS, the applicant contends that to the rear of the building there is a 4 story brick building, the windows of which are protected with shutters; that to the east of the building there is a 10 story brick building with fireproof windows, except on the airshaft; that there is no heating system in the building, as steam is brought from an outside source; that there is no hazardous occupancy in the building; that due to the mortgage condition of the building it would be a hardship to be compelled to comply with the order.

Resolved, that the decision of the borough superintendent, as to Violation No. 2223-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so long as the occupancy remains as at present and that such floors as are now vacant are occupied by non-hazardous occupancies and that no additional exposures from the adjoining buildings shall be installed; that the sprinkler systems in the adjoining buildings to the east and west shall be maintained.

916-39-A.

APPLICANT—Josephine Calvaruso, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Max Ingber, Minnie DiGirolama, Louis DiGirolama and John Libretti.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(916-39-A)

WHEREAS, Josephine Calvaruso, owner, filed July 7, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 54-34 101st street, west side, 240 ft. north of 57th avenue (Block No. 1937, Lot Nos. 52, 53 and 55), Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 7352-39, dated June 14, 1939, reads:

"2. State year and number under which this building was erected.

3. Garage must be accessory to dwelling on plot, article 2, section 3 of Zone Law.

4. Show proof of having curb cut.

5. Affidavits as filed not acceptable."

and

WHEREAS, the building is 1 story (15 ft.) in height, of frame construction, 20 ft. by 20 ft. in area, on a lot 60 ft. by 100 ft., located in a residence use district, erected in 1909, and occupied for the storage of glass bottles; and

WHEREAS, the applicant contends that the shed in question has been continuously used for more than 30 years as a storage place for various kinds of materials; that in view of the existence of said use prior to the adoption of the zone regulations, it should be permitted to continue; and

WHEREAS, in the opinion of the board, after inspection of the site herein involved and after statements made to the board by residents who have lived in the neighborhood since prior to 1916, the present building and use antedated 1916.

Resolved, that the decision of the borough superintendent on Applic. No. 7252-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the

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continuation of the existing use of the building for the storage of glass bottles and second-hand metals, but permitting no enlargement nor change of use.

969-39-A.

APPLICANT—United Metal Box Co., Inc., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21 to 28 inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

THE RESOLUTION—

(969-39-A)

WHEREAS, United Metal Box Co., Inc., owner, filed July 17, 1939, an appeal from an order of the fire commissioner, affecting premises 168-186 Seventh street, south side, 100 ft. west of Third avenue and 125-143 Eighth street (Block No. 996, Lot Nos. 21 to 28, inclusive), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 80371-LC, dated June 16, 1939, reads:

"4. Discontinue use of equipment for use in connection with direct spraying 'Binks Circulating System' for the reason that this equipment has not been approved for such purpose by the Board of Standards and Appeals. Rule 6.1.7-a, Spray Rules."

and

WHEREAS, the building is 3 stories and basement (44 ft.) in height, 100 ft. by 98 ft. in area, of brick mill construction; equipped with a sprinkler system; located in an unrestricted use district; OCCUPIED: Cellar—factory, metal pressing, 12 persons; 1st floor—paint shop, 15 persons; 2nd floor—assembling metal buckets, 22 persons; 3rd floor—office, 35 persons; and

WHEREAS, the applicant contends that the Binks Circulating System is not a pressure system; the supply tanks of the system are stored in an outer fireproof building ventilated to the outer air; that the spraying material is pumped through wrought iron pipe lines capable of withstanding a pressure of several hundred pounds; that the pressure maintained on the lines never exceeds 12 lbs.; that direct spraying is not done, as the material is brought to the nozzle and atomized by means of compressed air passing over and around the nozzle, acting as in a venturi system; that the elimination of the paint containers in the spray rooms reduces the fire hazard to a minimum and the system has been accepted and approved by the Underwriters Laboratories and the Factory Mutual Laboratories; that in case of fire, the system can be shut down and the material confined to the fireproof vault; that an application for approval of this system has been filed by Binks Super Equipment Co. under Cal. No. 859-39-SA.

Resolved, that the order of the fire commissioner, No. 80371-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the direct spraying "Binks Circulating System" complies as to equipment and installation with the approval of this system as given by the board under Cal. No. 851-39-SA as of this date.

980-39-A.

APPLICANT—J. Nelson Cooper, for Kew Gardens Storage Warehouse, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—93-30 Van Wyck boulevard, west side, 62 ft. north of 94th avenue (Block No. 522, Lot No. 14), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: J. Nelson Cooper.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(980-39-A)

WHEREAS, J. Nelson Cooper, for Kew Gardens Storage Warehouse, Inc., owner, filed on July 19, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 93-30 Van Wyck boulevard, west side, 62 ft. north of 94th avenue (Block No. 522, Lot No. 14), Jamaica, Borough of Queens; and

WHEREAS, Order No. 1536-LF, issued by the fire commissioner October 24, 1938, reads:

"1. Provide a separate and distinct system of AUTOMATIC SPRINKLERS (throughout building) having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner dated July 10, 1939; and

WHEREAS, the building is 6 stories (67 ft.) in height, 62 ft. 6 in. by 110 ft. in area, of fireproof construction; located in an unrestricted use district; erected in 1930 and occupied: Cellar—boiler room and storage of household goods, 3 persons; 1st floor—offices, work space and storage, 3 persons; 2nd to 6th floors—storage of household goods, 3 persons per floor; and

WHEREAS, the applicant contends that the building was erected in 1930 as an addition to a building of similar size and construction; at that time both units were under single ownership and the exits complied with the building code; that the property was subsequently foreclosed and each unit sold to a different owner; that the section in question was purchased by the present owner in the belief that it complied with the building code, although it was equipped with only an exterior stairway; that Alteration No. 1208-39 was filed in the building department for the installation of a legal interior stairway, which will be constructed within sixty days; and

WHEREAS, these premises were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, No. 1536-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the required stairway shall be constructed and maintained; that the furniture and other material stored shall be at all times kept down for a distance of 18 in. below the ceiling; that such additional fire-fighting appliances shall be installed as the commissioner shall direct; that ample aisles shall be maintained at all times on each floor opposite windows; that no combustible material shall be stored in the basement; that the windows under the platform on the 1st floor, opening into the cellar shall be replaced with fixed metal louvres, so as to provide cellar ventilation at all times; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1024-39-A.

APPLICANT—Seacoast Laboratories, Inc. (lessee), for Estate of Franklin S. Clark, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—156-158 Perry street, south side, 60 ft. west of Washington street (Block No. 637, Lot No. 21), Borough of Manhattan.

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APPEARANCES—

For Applicant: Ben Vroman.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(1024-39-A)

WHEREAS, Seacoast Laboratories, Inc. (lessee), for Estate of Franklin S. Clark, owner, filed on August 3, 1939, an appeal from an order of the fire commissioner, affecting premises 156-158 Perry street, south side, 60 ft. west of Washington street (Block No. 637, Lot No. 21), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 18412-C, issued August 2, 1939, reads:

"Surrender to bearer fire department permit numbered 181744 dated to expire August 22nd, 1939, which is hereby revoked:

REASON: Manufacturing a combustible mixture 'Scaltex' the manufacture of which on these premises is prohibited by Section C-19-59-0.B-6, Art. 9, New York City Administrative Code as provided for in Section C-19-62.0.A, Art 10, Administrative Code.

YOU ARE THEREFORE, HEREBY, ADVISED THAT,

1. Permit to manufacture a combustible mixture on these premises may not be issued for the reason stated and such manufacture without a permit is prohibited by Sec. C-19-61.0, Art. 10, Administrative Code."

and

WHEREAS, the building is 3 stories (40 ft.) in height, 20 ft. by 80 ft. in area at 1st floor and 20 ft. by 55 ft. in area on typical floor; erected in 1870; located in an unrestricted use district; of Class 3 and 4 construction; occupied: Cellar—boiler room and office, 1 person; 1st floor—storage, shipping and mixing soap powders, detergents and insecticides, 3 persons; 2nd floor—offices, 4 persons; 3rd floor—storage of empty cartons, 3 persons, not more than 7 persons throughout the building; and

WHEREAS, the following materials are stored on the premises: 10 to 60 drums of Turpentine, 5 to 10 drums of Pine Tar, 10 to 60 drums of Pine Oil, 5 to 10 drums of Rosin, 5 to 15 drums of Coal Tar Disinfectant and 5 to 20 drums of Kerosene; and

WHEREAS, the applicant contends that the business conducted on the premises has been established at this location for over fifty years; that the insecticide manufacture is a cold mix combining pyrethrum extract and kerosene; that there is no heat used in any product manufactured on the premises; and

WHEREAS, the premises were inspected by a committee of the board and the committee was of the opinion that the buildings involved are not adaptable or suitable for the storage of combustibles and particularly the mixing of the insecticide.

Resolved, that the order of the fire commissioner, No. 18412-C, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1049-39-A.

APPLICANT—Kooms Transportation Co., Inc., owner.

SUBJECT—Appeal from a decision of the fire commissioner, relative to transportation of gasoline in tank truck (not of approved type) in New York City.

APPEARANCES—

For Applicant: Philip W. Smook and J. G. Grossman.

For Administration: Engr. Insp. Michaels, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1049-39-A)

WHEREAS, Kooms Transportation Co., Inc., owner, filed August 17, 1939, an appeal from a decision of the fire commissioner, relative to transportation of gasoline in tank trucks from within the New York City limits to points in Nassau and Suffolk Counties, from a starting point at 1105 Metropolitan avenue (Block No. 2927, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner dated July 20, 1939, reads:

"In reply to your letter of July 18, 1939, relative to the use of a gasoline tank truck having five speed forward transmission, please be advised that this department cannot grant your request as we are bound by the requirements of Section 18-3 of the Tank Truck Specifications which limit the speeds forward to not more than four.

"However, this department has no objection to your right to an appeal to the Board of Standards and Appeals, Room 1000, Municipal Building, Manhattan."

and

WHEREAS, it is proposed to use 1 ten-ton Ward LaFrance Truck equipped with 5 forward speed transmissions and a tank of 1920 gallons capacity for the transportation of gasoline from 1105 Metropolitan avenue, Borough of Brooklyn, to points in Nassau and Suffolk Counties, no deliveries to be made within New York City limits; and

WHEREAS, the applicant contends that the truck will conform to the tank truck specifications in all respects other than transmission; that the 5 forward speed transmission will permit the cutting down of the revolutions of the motor approximately 30%, thus avoiding the danger of operating the motor at excessive speeds and the danger of overheating, due to long distances which must be traveled in order to service 20 gasoline stations located in Nassau and Suffolk Counties.

Resolved, that the decision of the fire commissioner, dated July 20, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the tank truck shall comply with the rules therefor; that no deliveries shall be made within New York City.

1080-39-A.

APPLICANT—Arthur F. Winter, for Jennie T. Portalano, owner (F. W. Woolworth Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1413-1415 Avenue "J", north side, 60 ft. west of East 15th street (Block No. 6707, Lot Nos. 47 and 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1080-39-A)

WHEREAS, A. F. Winter, for Jennie T. Portalano, owner (F. W. Woolworth Co., lessee), filed on August 29, 1939, an appeal from an order and a decision of the fire com-

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missioner affecting premises 1413-1415 Avenue "J", north-side, 60 ft. west of East 15th street (Block No. 6707, Lot Nos. 47 and 48), Borough of Brooklyn; and

WHEREAS, Order No. 2760-LF, issued by the fire commissioner May 18, 1939, reads:

"Provides a separate and distinct system of Automatic sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 16, Administrative Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner dated August 9, 1939; and

WHEREAS, the building is three stories (33 ft.) in height, 39 ft. 8 in. by 39 ft. in area of non-fireproof construction, erected in 1914, located in a business use district and occupied: cellar, storage, boiler room and paper room, 2 persons; 1st floor, sales floor, 25 persons; 2nd floor beauty parlor, 6 persons; 3rd floor, same; and

WHEREAS, the applicant contends the building is provided with adequate exits; that the basement is ventilated by openings in the granite base of the bulkhead of the show window; that the stock room is a fireproof room used for the storage of paper; that the merchandise carried in the stores is common to the 5 and 10 cent store occupancy; that the celluloid carried in the basement is approximately 7/10 of one percent of the stock; that all aisles are 3 ft. wide and kept clear at all times and that the basement ceilings are fire-retarded and all basement partitions are fireproof.

Resolved, that the order of the fire commissioner, No. 2760-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25% in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste paper room and kitchen, if any, shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under fire department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 inches above the sidewalk and that the cap of this hose inlet and sign stating area covered, shall be painted aluminum.

1081-39-A.

APPLICANT—Arthur F. Winter, for Malina Company, Inc., owner (F. W. Woolworth Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—6509-6511 18th avenue, east side, 60 ft. ⅛ in. south of 65th street (Block No. 554, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles E. Arthurs.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1081-39-A)

WHEREAS, A. F. Winter, for Malina Co., Inc. owner (F. W. Woolworth Co., lessee), filed on August 29, 1939, an appeal from an order and a decision of the fire com-

missioner affecting premises 6509-6511 18th avenue, east side, 60 ft. ⅛ in. south of 65th street (Block No. 5554, Lot No. 6), Borough of Brooklyn; and

WHEREAS, Order No. 2738-LF, issued by the fire commissioner May 8, 1939, reads:

"Provide a separate and distinct system of Automatic Sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 9, 1939; and

WHEREAS, the building is one story and pent house (27 ft.) in height, 40 ft. by 100 ft. in area of non-fireproof construction, erected in 1929; located in a business use district and occupied: cellar—storage, 2 persons; 1st floor—store, 145 persons; 2nd floor—rest room, 2 persons; and

WHEREAS, the applicant contends that the building is provided with adequate exits and basement is ventilated by means of openings in the granite base of the bulkhead of show window; that the stock room is a fireproof room used for the storage of baled paper; that the merchandise carried on the premises is common to the 5 and 10 cent store merchandise; that the celluloid carried in the basement is approximately 7/10 of one percent of the stock; all aisles are three feet wide and kept clear at all times, and that the basement ceilings are fire retarded and all basement partitions are fireproof.

Resolved, that the order of the fire commissioner, No. 2738-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25% in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under fire department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above the sidewalk and that the cap of this hose inlet and sign stating area covered, shall be painted aluminum.

1082-39-A.

APPLICANT—Sanford Hotel Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—140-40 Sanford avenue, southeast corner of Willow lane (Block No. 5180, Lot No. 35), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Charles Michel.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1082-39-A)

WHEREAS, Sanford Hotel Corporation, owner, filed August 29, 1939, an appeal from an order and a decision of the fire commissioner affecting premises 140-40 Sanford avenue, southeast corner of Willow lane (Block No. 5180, Lot No. 35), Flushing, Borough of Queens; and

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WHEREAS, Order No. 2748-LF, issued by the fire commissioner May 10, 1939, reads:

"Provide telegraphic communication with Fire Department Headquarters as provided for by the Administrative Code, Section 487e-2.b of City of N. Y."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 9, 1939; and

WHEREAS, the building is 6 stories (62 ft.) in height, 60 ft. by 140 ft. in area, of Class 1 Construction, located in a residence use district, erected in 1927, equipped with a Croker fire alarm system, and occupied: cellar, storage and boiler room, help's quarters; 1st floor, kitchen, dining room, coffee shop, beauty parlor, and office, 175 persons; 2nd floor, dining room and hotel rooms, 95 persons; 3rd to 6th floors, hotel rooms, 44 persons per floor; and

WHEREAS, the applicant contends that the building is within a reasonable distance of fire alarm box situated at the corner of Sanford avenue and Kissena boulevard; that the building is equipped with Croker fire alarm and drill system and with a telephone switchboard; that each room is equipped with a telephone operating through said switchboard; that employees in the hotel are on duty 24 hours a day; that watchman service has been provided; that the building is not much larger nor more populated than a small apartment house and is less hazardous and that there is adequate means of summoning the fire department in the event of fire.

Resolved, that the order of the fire commissioner, No. 2748-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the fire alarm system shall comply with the requirements therefor; that the drill shall be maintained; that there shall be a watchman on the premises 24 hours a day; that the telephone switchboard shall have 24 hour service; that in addition to the switchboard, an additional telephone booth shall be available; that the nearest fire alarm box shall be not over 300 ft. distant from the entrance to the building; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1095-39-A.

APPLICANT—James Whitford, for Rubsam and Horrman Brewing Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—191 Canal street, north side, 629.19 ft. west of Wright street (Block No. 527, Lot No. 49), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: James Whitford, Jr.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1095-39-A)

WHEREAS, James Whitford, for Rubsam and Horrman Brewing Company, owner, filed August 25, 1939, an appeal from an order and decision of the fire commissioner, affecting premises 191 Canal street, north side, 629.19 ft. west of Wright street (Block No. 527, Lot No. 49), Stapleton, Borough of Richmond; and

WHEREAS, the order of the fire commissioner, No. 5151-LF, issued July 5, 1939, reads:

"1. Install an approved standpipe system arranged and equipped as per Art. 17, Ch. 26, Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 1, 1939; and

WHEREAS, the building is 7 stories (115 ft.) in height, 52 ft. by 43 ft. in area, of Class 1 and Class 6 construction, equipped with a standpipe system and a sprinkler system, located in a business use district, erected in 1868 and occupied: Cellar—filter room, 1 person; 1st floor—storage of machine parts, 0 persons; 2nd floor—mash tubs, 1 person; 3rd floor—brew kettles, 2 persons; 4th floor—hot water tanks, 1 person; 5th, 6th and 7th floors—grain bins, 1 person; total 6 persons throughout the building; and

WHEREAS, the applicant contends that the building is protected with a standpipe system consisting of a 4 in. dry line with fire department siamese connection at the yard level on the south side of the building; also a 2 in. wet line connected to a 4 in. line from the 6 in. city main in Canal street; pressure in this 2 in. line, as recorded on gauge at the 1st floor level, is 71 lbs.; to each of these two risers, at each floor level, 50 ft. of hose is connected and provided complete with regulation hose rack; that in addition to the standpipe system described, the building is protected with a sprinkler system which is connected with City main in Cedar street by an 8 in. line, and with City main in Boyd street by a 6 in. line; on both street frontages are also provided fire department siamese connections; that this building which has only one-fifth of the area of a building requiring standpipes, and only slightly in excess of the height requirement, is amply protected.

Resolved, that the order of the fire commissioner No. 5151-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the standpipe and sprinkler systems shall be maintained as proposed and to the satisfaction of the fire commissioner; that the building shall not be increased in height or area.

1117-39-A.

APPLICANT—Louis Di Spalatro, for Louis Di Spalatro and John Di Spalatro, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—181-14 Kildare road, south side, 99.96 ft. east of Surrey place (Block No. 7232, Lot No. 13), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Louis Di Spalatro.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1117-39-A)

WHEREAS, Louis Di Spalatro, for Louis Di Spalatro and John Di Spalatro, owners, filed on September 11, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 181-14 Kildare road, south side, 99.96 ft. east of Surrey place (Block No. 7232, Lot No. 13), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 8, 1939, on N.B. Applic. 8901-39, reads:

"Changing the occupancy of this Building from a one to a two-family dwelling in a residence 'G' district is contrary to Art. 4, Section 16A of the Building Zone Resolution. Not further considered."

and

WHEREAS, the building is two stories (25 ft.) in height, 35 ft. by 45 ft. in area, on a lot 60 ft. by 125 ft. in area, of frame construction, brick veneered on the 1st floor, located in a residence use, "G" area district; erected in 1939; occupied: Cellar—2-car garage and storage; 1st floor—one family; 2nd floor—one family; and

WHEREAS, the applicant contends that in October, 1938, a contract was entered into for the erection of a building as a one-family dwelling; that the structure was commenced

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in February or March, 1939; that before construction was commenced, the applicant requested the builder to change the plans so as to provide for a two-family occupancy; that the contractor exhibited an approved amendment for the placing of a sink on the 2nd floor, such amendment being approved June 7, 1939; that the applicant relied on said amendment as permitting the two-family occupancy; that on June 10, 1939, the applicant took over the construction and the building was completed on June 20, 1939, and was thereafter occupied by two families; that a certificate of occupancy application was refused by the department of housing and buildings on the grounds that such application should be made by the contractor; that the contractor could not be located and the applicant was thereafter permitted to file an application for a certificate of occupancy; that upon filing said application, applicant was informed that the zone was changed to a "G" area and that proper amendment had not been filed showing the proposed two-family occupancy and the certificate of occupancy was refused, as cited in the decision appealed herein; and

WHEREAS, the premises were inspected by a committee and it was found that the building is designed and arranged as a single family and not as a two-family house, there being no separation for occupancy as a two-family house, nor separate entrances; and

WHEREAS, in the opinion of the committee, a second kitchen could be permitted without classifying the building as a two-family house.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 8901-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, directing that there shall be issued a certificate of occupancy as a one family dwelling, but permitting two (2) kitchens, one on the 1st floor and one on the 2nd floor, provided no further alterations are made to the building other than what might be permitted for a single family dwelling.

1126-39-A.

APPLICANT—Jack Z. Cohen, for Bessie Blum, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—975 East 9th street, east side, 140 ft. north of Avenue "J" (Block No. 6522, Lot No. 56), Borough of Brooklyn.

APPEARANCES—

For Applicant: Hylton Graham.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1126-39-A)

WHEREAS, Jack Z. Cohen, for Bessie Blum, owner, filed September 12, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 975 East 9th street, east side, 140 ft. north of Avenue "J" (Block No. 6522, Lot No. 56), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on Applic. No. 3236-39, dated September 12, 1939, reads:

"Occupancy for 2 families on 3 floors in frame building contrary to 8.7.2.1 and 2.1.3.5 Building Code."

and

WHEREAS, the building is 3 stories (36 ft.) in height, 20 ft. by 47 ft. in area at 1st floor, 15 ft. 6 in. by 39 ft. in area above, of Class 4 construction, erected in 1909, located in a residence use "D" area district and occupied as a one-family dwelling; it is proposed to occupy 1st and 3rd floors combined, one family; 2nd floor, one family; total, two families; and

WHEREAS, the applicant contends that the building is fully detached and was recently purchased by the owner with the express purpose of occupying same for two families; that the owner will occupy the 1st and 3rd floors and that the second floor will be rented; that the building will not be enlarged.

Resolved, that the decision of the acting borough superintendent, on Applic. No. 3236-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the building to be occupied by not over two (2) families, one occupying the 1st and 3rd floors (or attic floor) and one family occupying the 2nd floor, *on condition* that the building shall not be increased in height or area; that the lot on which the building is located shall not be decreased; that there shall be no cooking facilities on the 3rd floor; that a second means of exit shall be provided from the 3rd floor, which may be in the form of an exterior ladder or fire escape reaching to the 1st floor extension, thence by means of a drop ladder or counterbalanced ladder to grade; that an agreement shall be signed by the owner and filed with the borough superintendent of buildings, that at no time will the building be occupied by more than two (2) families.

1144-39-A.

APPLICANT—Henry C. Brucker, for Otto Gehn, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—703 Fairview avenue and 202 Palmetto street, southeast corner (Block No. 3489, Lot No. 1), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Robert Brucker.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(1144-39-A)

WHEREAS, Henry C. Brucker, for Otto Gehn, owner, filed September 18, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 703 Fairview avenue and 202 Palmetto street, southeast corner (Block No. 3489, Lot No. 1), Ridgewood, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Alteration Application 1747-39, dated September 5, 1939, reads:

"Number of living rooms in building increased more than 20 per cent and building not shown to conform to the provisions of multiple dwelling law relative to a hereafter erected building."

and

WHEREAS, the building is 3 stories (33 ft.) in height, 25 ft. by 100 ft. in area at first floor, 25 ft. by 75 ft. above, of Class 3 construction, located in a business use "C" area district, erected in 1910, and occupied: cellar, storage and boiler room; 1st floor, 4 stores; 2nd floor, 2 families; 3rd floor, 2 families; it is proposed to occupy the building: cellar, storage and boiler room; 1st floor, store and 3 families; 2nd floor, 2 families; 3rd floor, 2 families; and

WHEREAS, the applicant contends it is impossible at the present time to rent the stores and it is therefore proposed to divide this area so as to provide 3 apartments and one store; that no increase in area of the building as proposed and that the fire hazard will be decreased; and

WHEREAS, in the opinion of the board, a variation of the multiple dwelling law is sought, which the board has no power to grant.

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Resolved, that the decision of the borough superintendent on Alt. Applic. 1747-39 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1150-39-A-WF.

APPLICANT—Austin W. Magee, for Winter Realty and Construction Co., owner (Kalamazoo Stove and Furnace Co., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—134-24 Northern boulevard, south side, 123 ft. west of Prince street (Store No. 6); (Block No. 4976, Lot No. 36), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(1150-39-A WF)

WHEREAS, Austin W. Magee, for Winter Realty and Construction Co., owner (Kalamazoo Stove and Furnace Co., lessee), filed September 19, 1939, an application for the approval of the erection of a sign within the World's Fair district, and an appeal from a decision of the borough superintendent of buildings affecting premises 134-24 Northern boulevard, south side, 123 ft. west of Prince street (Store No. 6); (Block No. 4976, Lot No. 36), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Miscellaneous Application No. 5525-1939, dated September 19, 1939, reads:

"The erection of a sign exceeding 30 sq. ft. in area in the World's Fair area is contrary to Section 4 of the World's Fair resolution. The erection of a V shaped sign is contrary to Section B26-7.0, Adm. Code."

and

WHEREAS, the building is one and two stories (15 ft.) in height, 237.34 ft. by 59.19 ft., irregular in area, of Class 3 construction, in an unrestricted use district, erected in 1936 and occupied as stores; the store in question on which sign is to be placed being located 123 ft. west of Prince street, is 22.4 ft. by 50 ft. in area; and

WHEREAS, it is proposed to erect a "V" shaped sign consisting of 2 faces, 2 ft. 9 in. by 8 ft. each, extending one ft. beyond the building line, total area of sign, 43 sq. ft., as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that the proposed sign will advertise the business conducted on the premises and cannot be seen beyond the Flushing Bridge; that section B26-7.0 of the Administrative Code should not apply as proposed sign will not extend more than 1 ft. beyond the legal building line.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 5525-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the maintenance of the sign as proposed, *on condition* that the sign shall not be increased in area; that no additional sign shall be constructed on this portion of the building.

1158-39-A.

APPLICANT—Frank V. Laspia, for Carolina Dascole, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—234 Meeker avenue (34 Jackson street), south side, 169 ft. west of Lorimer

street (Block No. 2746, Lot No. 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Augusta.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(1158-39-A)

WHEREAS, Frank V. Laspia, for Carolina Dascole, owner, filed on September 21, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 234 Meeker avenue (34 Jackson street), south side, 169 ft. west of Lorimer street (Block No. 2746, Lot No. 21), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. 3493-39, dated September 18, 1939, reads:

"1. Garage in a two-story bldg. is contrary to 4.2.1 of Bldg. Code."

and

WHEREAS, the building is one and two stories (23 ft.) in height, 22 ft. by 100 ft. in area at 1st floor, 22 ft. by 26 ft. in area above; of frame construction; located in a business use district; erected about 1879 and occupied: 1st floor—5-car garage and store; 2nd floor—one family. It is proposed to demolish the present two-story frame building, which was partly demolished by the City in the widening of Meeker avenue and erect a new 2-story brick structure, as shown on plans filed with the building department. The proposed building will be occupied by one family on the 2nd floor and private garage for 5 cars on the 1st floor, which is the same as the present occupancy; and

WHEREAS, the applicant contends that the partial demolition by the City created a condition which required an alteration to the present structure; that the owner decided to create a better condition by removing the frame structure and erecting the brick structure, as shown on plans filed with the Dept. of Housing and Buildings; that Certificate 56684 was issued June 27, 1929, for the following use and occupancy: 1st floor—store and private garage—5 trucks; 2nd floor—one family.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 3493-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the garage on the premises shall not exceed an occupancy of five (5) motor vehicles; that the residential occupancy of the 2nd floor shall not exceed one (1) family, occupying no greater space than shown on plans filed with this alteration application; that the ceiling of the 1st floor shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that there shall be a ladder maintained on the roof of sufficient length to reach from the one story parapet to the adjoining grade; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area.

1163-39-A.

APPLICANT—Wesley Chadderton, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner re Transportation of gasoline in tank truck (not of approved type) in New York City.

APPEARANCES—

For Applicant: Wesley Chadderton.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1163-39-A)

WHEREAS, Wesley Chadderton, owner, filed on September 22, 1939, an appeal from an order and decision of the fire commissioner, affecting the Transportation and Sale of Gasoline. The truck will operate from No. 2560 Flatbush avenue (Block No. 8590, Lot No. 148), Borough of Brooklyn; and

WHEREAS, Order No. 18644-LC, issued by the fire commissioner August 15, 1939, reads:

"An inspection of truck No. 1 on a Checker chassis No. 13,773 used for the transportation of liquid products of petroleum as required by SECTION CH. 19, TITLE 'C,' PART 1, ARTICLE 10 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, shows that the liquid products of petroleum are delivered directly into the engine fuel tanks of marine craft from shore points.

It is unlawful to use a truck for this purpose and your application is, therefore, denied."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated September 20, 1939; and

WHEREAS, the premises upon which the truck will be stored and the premises where the gasoline will be dispensed, are located in an undetermined use district; and

WHEREAS, it is proposed to use a truck with two approved portable tanks strapped to chassis for the purpose of supplying gasoline to fishing boats moored at the City bulkhead, directly opposite the applicant's garage at 2560 Flatbush avenue; and

WHEREAS, the applicant contends that the dock commissioner has certified in a letter filed with this appeal that no special permission of the dock department is required for the proposed use; that the business of dispensing gasoline to fishing boats at this point is essential to the operation of the applicant's garage.

Resolved, that the order of the fire commissioner, No. 18644-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, so as to permit the liquid products of petroleum to be delivered directly into the fuel tanks of marine craft on Mill Basin, on condition that the products of petroleum are discharged in accordance with the requirements of the fire commissioner.

1165-39-A.

APPLICANT—Brown and Matthews, Inc., for Presidio Realty Holders, Inc., owner (Metropolitan Refining Co., Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—50-23 23rd street, northeast corner of 51st avenue (Block No. 104, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: F. Arthur Bickel.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(1165-39-A)

WHEREAS, Brown and Matthews, Inc., for Presidio Realty Holders, Inc. (Metropolitan Refining Co., Inc., lessee), filed

on September 22, 1939, an appeal from the decision of the borough superintendent of buildings, affecting premises 50-23 23rd street, northeast corner of 51st avenue (Block No. 104, Lot No. 1), Long Island City, Borough of Queens; and,

WHEREAS, the decision of the borough superintendent on N.B. Application 7407-39, dated September 13, 1939, reads:

"1. Provide 2 in. of fireproofing on steel carrying masonry, sect. 10.2.6."

and

WHEREAS, the proposed building will be one and two stories (31.75 ft.) in height, 60 ft. by 240 ft. in area on the first floor, and 60 ft. by 145 ft. in area at typical floor level, of Class 3 construction, equipped with standpipe system, located in unrestricted use district, occupied: first floor—light manufacturing and storage of chemicals—eight persons; second floor—office and laboratory—twenty-one persons; and

WHEREAS, the applicant contends that the building code does not require steel beams for carrying masonry in Class 3 construction, to be fireproofed; that the building will be of skeleton steel frame construction, conforming to Class 3 requirements; and

WHEREAS, the board deemed that failure to protect the steel supporting masonry by fire proof material, would create a hazard.

Resolved, that the decision of the borough superintendent on N.B. Application 7407-39 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1166-39-A.

APPLICANT—Frederick L. Cranford, and Worckill Realty Corporation, for Frederick L. Cranford, as trustee under a Declaration of Trust for holders of investments in mortgage, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—130 Hicks street, west side, 45 ft. south of Clark street (Block No. 235, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Chas. H. Snarins and John B. Slee.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1166-39-A)

WHEREAS, Frederick L. Cranford and Worckill Realty Corporation, for Frederick L. Cranford, as trustee under a declaration of trust for holders of investments in mortgage, owner, filed on September 22, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 130 Hicks street, west side, 45 ft. south of Clark street (Block No. 235, Lot No. 44), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated August 24, 1939, re Alt. Applic. 3477-39, reads:

"Proposed conversion of nonfireproof building over 35 ft. high and more than 2 occupied stories to public church use is contrary to Sec. 2.1.3.5 and Sec. 4.2.1 of Code."

and,

WHEREAS, the building is 3 stories and basement (49 ft.) in height, 37 ft. 5½ in. by 59 ft. 3 in. in area; of Class 3 construction; located in a residence use district; erected in 1888; and occupied: cellar—boiler room and storage; basement—3 furnished rooms; 1st floor, 4 furnished rooms; 2nd floor, 5 furnished rooms; 3rd floor—6 furnished rooms; it is proposed to occupy the building: cellar—boiler room

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and storage; basement—meeting rooms in conjunction with church—110 persons; 1st floor, church, 185 persons; 2nd and 3rd floors—clergymen's residence; and

WHEREAS, the applicant contends that the church now occupies a building at the corner of Clark and Henry streets, but is no longer financially able to maintain these premises; that in order to maintain its existence it must move to smaller quarters and has contracted for the use of premises in question; that it is proposed to fire-retard the entire cellar ceiling, to enclose interior stairs with 4-inch hollow tile partitions with a one-hour fire door at the bottom of stair enclosure to fire-retard basement ceiling, to install additional toilets in the basement, to extend the rear extension on the 1st floor approximately 3 ft. 4 in.; fire-retard 1st floor ceiling and stair hall and to provide additional exits on the 1st floor; that floor joists, girders and columns will be reinforced where necessary to sustain the required live loads; that the code permits a Class 3 structure to be occupied for a church if not more than 35 feet in height and not more than 5,000 feet in area, facing on one street; that the area of the building will be approximately 2200 sq. ft.; that the portion occupied by the church will be approximately 20 feet above curb; that the proposed occupancy is less hazardous than that presently permitted in the building.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 3477-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the occupancy of the building as proposed, *on condition* that it shall be removed from the classification of a Class B Multiple Dwelling (rooming house) and that the construction shall be substantially as indicated in the statement filed with this appeal and in all other respects shall meet all the requirements of the building code and all other laws applicable thereto; that there shall be a second means of exit provided from the 2nd and 3rd story, which may be by means of an exterior ladder to the fire escape from the rear window to the roof of the 1st story extension and thence by means of drop or counterbalanced ladder to the rear yard; that the roof of the rear extension shall be of incombustible materials; that the existing side yard shall be maintained at all times to permit exit from the rear; that in all other respects the exits indicated, shall be maintained and that the exit from the 1st floor to the yard shall have a reinforced concrete slab across the areaway to the rear yard in place of grating shown, and granted only so long as building is occupied as proposed.

1192-39-A.

APPLICANT—M. Allen Schlendorf, for Kroder Reubel Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—50-52 North Henry street, east side, 129 ft. north of Meeker avenue (Block No. 2828, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. Allen Schlendorf and L. Breyer.
For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1192-39-A)

WHEREAS, M. Allen Schlendorf, for Kroder Reubel Co., Inc., owner, filed September 26, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 50-52 North Henry street, east side, 129 ft. north of Meeker avenue (Block No. 2828, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 79899-LC, issued May 18, 1939, reads:

"2. Remove the drum of range oil from the premises.

6. Provide a window opening to outer air for spray material storage room. Such window shall not be on any lot line, enclosed court, nor opposite within 20 ft. of window of adjacent buildings nor part of the same premises. Window opening shall be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 in. in diameter. Rule 6.1.2-d, Spray Rules."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated September 26, 1939; and

WHEREAS, the building is 3 stories (40 ft.) in height, 50 ft. by 200 ft. in area, of Class 3 construction, equipped with a sprinkler system, erected in 1890, located in a business use district and occupied: 1st floor—brass works, 15 persons; 2nd floor—stock storage and plating, 12 persons; 3rd floor—lacquering room and stock, 8 persons; and

WHEREAS, the applicant contends that the location of the existing lacquering storage room is on the 3rd floor of building No. 3, shown on plans filed with this appeal; that due to shortage of space, it is impossible to relocate the storage room in compliance with the order; that permits for the use of this storage room have been issued yearly by the division of combustibles; that to provide ventilation as required, would be impractical as it would create serious hardship to the owner, inasmuch as the storage room would have to be moved to the exterior of the building; that the storage of No. 1 fuel oil in a 50 gallon drum is located within the newly constructed boiler room, which is constructed of brick walls and pre-cast gypsum slab roof, separated by fire doors from any other part of the building; that this oil is used in 5 gallon lots for use in small casting furnaces, conveyed to the foundry room on the 3rd floor of building No. 4 in approved containers; that 5 gallons of oil is used daily and it is necessary to keep a supply on hand.

Resolved, that the order of the fire commissioner, No. 79899-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Item No. 2 thereof, *on condition* that not more than one drum of range or No. 1 oil shall be stored on the premises; that such drum shall be stored in the enclosed coal storage room in Building No. 6 and that such quantities as are required in Building No. 4 shall be transported only in 5 gallon lots in approved safety cans; as to Item No. 6, that in lieu of a window opening to the outer air, there shall be installed and maintained a 12-inch exhaust pipe from the fireproof room for lacquer storage; that such pipe shall extend through the room and to within 6 in. of the floor; that such ventilating duct shall be capped with a wind ventilator hood; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1197-39-A.

APPLICANT—Samuel B. Lincoln, for Wallerstein Company, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—175 Lake avenue, east side, 150 ft. north of Walker street (Block No. 1161, Lot Nos. 9, 11 and part of Lot No. 34), Mariners Harbor, Borough of Richmond.

APPEARANCES—

For Applicant: Samuel B. Lincoln.
For Administration: A. B. Comins, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

MINUTES

THE RESOLUTION—

(1197-39-A)

WHEREAS, Samuel B. Lincoln, for Wallerstein Company, Inc., owner, filed September 28, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 175 Lake avenue, east side, 150 ft. north of Walker street (Block No. 1161, Lot Nos. 9, 11 and part of Lot No. 34), Mariners Harbor, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent on Alteration Application 298-39, dated September 26, 1939, reads:

"The aggregate area of the enlarged building about 33,800 sq. ft. will exceed the allowable limit of 29,000 sq. ft. for a commercial use. Class 3 (non-fireproof) construction fronting on 2 streets, not over 2 stories or 30 ft. in height and sprinklered, as per Sec. C26-254.0. Heights and area limits, building code."

and
WHEREAS, the building is one story (average 25 ft.) in height, 102½ ft. by 171 ft. in area of class 3 construction, equipped with a sprinkler system, located in an unrestricted use district and occupied as a factory, 30 persons; and

WHEREAS, the applicant contends it is proposed to erect a one story, non-fireproof addition, 16,250 square feet in area to an existing one story building having an area of 17,547 square feet, making a total area of 33,800 square feet; that the property has three frontages and that the owners should be entitled to construct 35,000 square feet sprinklered, without dividing fire wall; that it will seriously handicap the manufacturing operations if a fire wall is required between the present building and proposed extension.

Resolved, that the decision of the borough superintendent on Alt. Applic. 298-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the extension in area as proposed, *on condition* that private streets owned by the company shall be maintained at all times to the north and east of the existing building and the proposed extension and that the lot to the south shall remain unbuilt upon for a width of at least 33 feet; that a sprinkler system fed from two streets shall be maintained to the satisfaction of the fire commissioner; that the existing 8-inch terra cotta walls from floor to ceiling in the existing building shall be maintained substantially in the present locations; that such additional fire-fighting appliances shall be installed throughout the building as the fire commissioner may direct; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1198-39-A.

APPLICANT—John J. Gilmartin, for Maileah Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—384-386 Broadway, east side, 31 ft. north of White street (Block No. 195, Lot No. 2), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1198-39-A)

WHEREAS, John J. Gilmartin, for Maileah Realty Corporation, owner, filed September 18, 1939, an appeal from an order and a decision of the fire commissioner, affecting

premises 384-386 Broadway, east side, 31 ft. north of White street (Block No. 195, Lot No. 2), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 4743-LF, issued May 5, 1939, reads:

"1. Install a standpipe system arranged and equipped as per Art. 17, Chapter 26, Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated September 25, 1939; and

WHEREAS, the building is 6 stories (96 ft. 6 in.) in height, 40 ft. 9 in. by 175 ft. 11 in. in area, of non-fireproof construction, equipped with a sprinkler system, erected in 1882, located in an unrestricted use district and occupied: sub-cellar—storage; cellar—restaurant and kitchen—10 persons; 1st floor—restaurant—125 persons; 2nd floor—offices—30 persons; 3rd floor—offices, stock room—25 persons; 4th floor—offices—30 persons; 5th floor—offices and stock room—35 persons; 6th floor—offices—25 persons; and

WHEREAS, the applicant contends that at the time of the erection of the building, it was approved by the department having jurisdiction and a standpipe was not required, since the building did not exceed 100 ft. in height; that the building is equipped with one stairway enclosed in fire-retarded material and one 60 degree fire escape at the rear of the building; that the building is occupied throughout for office purposes by one tenant; that the distance from the curb line to the roof is approximately 93 ft., while the distance to the top floor is only 80 ft.

Resolved, that the order of the fire commissioner, No. 4743-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the voluntary 2-source sprinkler system installed in the building shall be maintained to the satisfaction of the fire commissioner; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1201-39-A.

APPLICANT—Ajax Contracting Co., Inc., for J. Riepe, William J. and A. A. Tegetmeier, owners (Cladite, Inc., lessee).

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—771-773 First avenue, west side, 100.5 ft. north of East 43rd street (Block No. 1336, Lot No. 27), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman E. Horwood.

For Administration: Insp. Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1201-39-A)

WHEREAS, Ajax Contracting Co., Inc., for J. Riepe, William J. and A. A. Tegetmeier, owners (Cladite, Inc., lessee), filed September 28, 1939, an appeal from an order of the fire commissioner affecting premises 771-773 First avenue, west side, 100.5 ft. north of East 43rd street (Block No. 1336, Lot No. 27), Borough of Manhattan; and

WHEREAS, Order No. 18783-LC, issued by the fire commissioner August 31, 1939, reads:

"With reference to your application for a permit to manufacture paint at the above location, I regret to inform you that this department is without power to grant such a permit FOR THE REASON that a permit to manufacture any substance, mixture or compound commonly used for painting, etc., may not be issued for this building as it is used in part as a workshop or factory, Sec. C19-85.0-2, Art. 15, NYC Administrative Code.

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Moreover, report shows that in testing the manufactured product, it is applied by means of spraying. This is done under conditions not consistent with the rules governing the use of spray equipment adopted by the Board of Standards and Appeals.

YOU ARE THEREFORE, HEREBY,
ADVISED TO:

1. Discontinue the manufacture of a paint or any other substance, mixture or compound commonly used for painting on these premises. Sec. C19-84.0, Art. 15, NYC Administrative Code.

2. Discontinue the spraying or storage of any flammable or combustible surface coating on these premises, except under the conditions prescribed by the Rules adopted by the Board of Standards and Appeals, copy of which is available at Room 1000, Municipal Building, Manhattan."

and

WHEREAS, the building is 5 stories (67 ft. 4 in.) in height, 50 ft. by 100 ft. in area, of semi-fireproof construction, located in an unrestricted use district, erected in 1889, altered in 1915 and occupied: Cellar—boiler room and storage, no persons; 1st floor—auto body and spring repairs, 9 persons; 2nd floor—manufacture of stained glass windows, 9 persons; 3rd floor—manufacture and display fixtures, 10 persons; 4th floor—paint laboratory, 4 persons; 5th floor—iron and bronze work, 13 persons; and

WHEREAS, the applicant contends that the amount of paint used on the premises is very small as this is not a paint factory, but rather a laboratory for developing metallic protective coatings; that all mixing and storage of raw materials is in a room at the rear of the 4th story, separated from the balance of the 4th story by heavy metal partitions and vented direct to the outer air by means of 24-inch exhaust fan; that the building is semi-fireproof, has all rear and side exposures protected with metal frames and wire glass; that there are two fireproof stairways leading direct to the street and that the occupancy of the building is small.

Resolved, that the order of the fire commissioner, No. 18783-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that no material shall be stored within the premises with a flashpoint below 100° F.; that the premises shall be operated only as a technical establishment and not as a manufacturing establishment and that the premises shall be maintained to the satisfaction of the fire commissioner; that in all other respects it shall meet all other requirements applicable thereto.

1208-39-A.

APPLICANT — Kenneth B. Norton, for Manufacturers Trust Company, as trustee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 113 Beach 63rd street, west side, 480.3 ft. south of Larkin street (Block No. 356, Lot No. 68), Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Robert Helmer.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1208-39-A)

WHEREAS, Kenneth B. Norton, for Manufacturers Trust Company, as Trustee, filed October 2, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 113 Beach 63rd street, west side, 480.3 ft. south of Larkin street (Block No. 356, Lot No. 68), Arverne, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Alteration Application 1799-39, dated September 21, 1939, reads:

"Item No. 2. Since the original approval and plan of the main portion of the building is not available, new complete structural plans of same are necessary for issuance of a certificate of occupancy.

Item No. 3. The area of the entire building exceeds the limit of 5,000 sq. ft. allowed by the former Building Code for a frame building."

and

WHEREAS, the building is three stories (39.8¼ ft.) in height, 106 ft. by 79 ft. 10 in. in area, of frame construction, located in a residence use district; altered in 1924 and occupied: cellar, storage and laundry and boiler room; 1st floor, office, lobby, dining room, kitchen and three bedrooms—12 persons; 2nd floor, 9 bedrooms, 36 persons; 3rd floor, 12 bedrooms, 38 persons; and

WHEREAS, the applicant contends the building was originally erected as a one-family dwelling and subsequently converted for a boarding house and hotel; that the one-story dining room of frame construction was erected in 1924 under alteration plans No. 2423-24; that the area of the building and dining room is 5,895 square ft.; that to objection No. 2, it will be difficult to comply with this item; that as to objection No. 3, the increase in area over the allowable area is only 895 square feet; that the owner proposes to provide safeguards for the occupants by fire-retarding the structure and installing a sprinkler system as shown on Alteration Plan 1799-39.

Resolved, that the decision of the borough superintendent, on Alt. Applic. 1799-39, be and it hereby is *modified* as to Item No. 3, and the appeal as to this item be and it hereby is *granted on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be further increased in height and area; that the lot on which the building is located shall not be reduced; and *denied* as to Item No. 2 of same decision.

1213-39-A.

APPLICANT—William J. Boegel, for Roman Catholic Church of Our Lady of the Angelus, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—63-53 98th street, southeast corner of 63rd drive (Block No. 2100, Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: William J. Boegel.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1213-39-A)

WHEREAS, William J. Boegel, for Roman Catholic Church of Our Lady of the Angelus, owner, filed October 4, 1939, an appeal with the Board of Standards and Appeals from a decision of the borough superintendent of buildings affecting premises 63-53 98th street, southeast corner of 63rd drive (Block No. 2100, Lot No. 1), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings rendered September 22, 1939, in acting on N.B. Appl. No. 7468-39, reads:

"1. Building exceeds the allowable area in non-fireproof construction. Sec. 4.2.1.

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10. Wood construction where shown on front and cupola not permitted."

and
WHEREAS, it is proposed to erect a church and rectory 51 ft. 2 in. by 130 ft. in area, one story (25 ft.) in height, located in a residence use "D" area district, setting back from the building line with a total area of 7,600 sq. ft., built with brick walls, fireproof floor construction, and with flat roofs of fireproof construction, but sloping portion of roof of heavy timber construction. On the front gable there are $\frac{7}{8}$ in. shiplap on 1 in. by 2 in. furring strips backed by 12 in. masonry wall. The cupola will be supported on steel and framed with wood timbers covered with wood sheeting and the entire exterior faced with copper.

Resolved, that the decision of the borough superintendent of buildings rendered in acting on N.B. Applic. No. 7468-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Items 1 and 10 thereof, *on condition* that in all other respects the building and occupancy comply with all laws, rules and regulations applicable thereto.

1217-39-A.

APPLICANT—Joseph A. La Rocca, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—103 Beach street, north side, 73.25 ft. east of Van Duzer street (Block No. 513, Lot No. 50), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: P. L. Santoro.

For Administration: A. B. Comins, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1217-39-A)

WHEREAS, Joseph A. La Rocca, owner, filed October 5, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 103 Beach street, north side, 73.25 ft. east of Van Duzer street (Block No. 513, Lot No. 50), Stapleton, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent on B.N. No. 634-39, dated September 27, 1939, reads:

"This change of occupancy to a club house is not permitted as the building is of frame construction and is less than 30 ft. from the nearest lot line."

and

WHEREAS, the building is 2 stories, attic and basement in height, 25 ft. 6 in. by 34 ft. in area, of frame construction, on a lot 75.67 ft. by 120 ft. in area, located in a business use, "C" area district, and occupied as a one family dwelling; it is proposed to occupy the building: cellar, kitchen, no persons; 1st floor, lounge and director's office for club, 15 persons; 2nd floor, caretaker's apartment, 2 persons; attic, storage and file room, no persons; and

WHEREAS, the applicant contends that although building is not 30 ft. from one side lot line, it is located on a large plot with 43 ft. clear on one side and 7 ft. on the other side; that the building although to be used as headquarters or office of a private club will not be used for public assembly as a public hall is used for meetings; that only officials of the club will use this building during the day or evenings; that this use will not be more hazardous than an average residence; that the only resident will be the caretaker.

Resolved, that the decision of the borough superintendent on B.N. No. 634-39, dated September 27, 1939, be and it hereby is *modified* and that the appeal be and it hereby

is *granted on condition* that the total width of the courts on both sides of the building shall not be less than fifty (50) feet; that the distance from the building under appeal to any adjoining building shall not be less than 8 feet; that any other building on the premises shall be used only for the storage of tools needed in connection with the upkeep of the premises; and, *granted* only so long as the building is maintained as herein proposed and complies in all other respects with all laws, rules and regulations applicable thereto.

VARIATION OF LABOR LAW

1135-39-S.

APPLICANT—Joseph Lau, for Board of Trustees of the International Committee of Young Men's Christian Associations, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—230 West 27th street, south side, 45 ft. 5½ in. west of Seventh avenue (Block No. 776, Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Lau.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1135-39-S)

WHEREAS, Joseph Lau, for Board of Trustees of the International Committee of Young Men's Christian Associations, owner, filed September 15, 1939, an application for a variation of the Labor Law as cited in decision of the borough superintendent of buildings, affecting premises 230 West 27th street, south side, 45 ft. 5½ in. west of Seventh avenue (Block No. 776, Lot No. 56), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alteration Application No. 2623-1939, dated August 21, 1939, reads:

"1. The second means of egress should lead directly to street independently of the 1st means of egress.

2. The present hall enclosure if accepted as part of the 2nd means of egress should have fireproof walls, floors and ceilings."

and

WHEREAS, the building is 6 stories (65 ft.) in height, 24 ft. 10½ in. by 94 ft. 9 in. in area at first floor, 24 ft. 10½ in. by 88 ft. 9 in. in area above, erected in 1870, located in an unrestricted use district and occupied: Cellar—storage and boiler room; 1st floor—store (fur buying), 4 persons; 2nd floor—fur assembling and tailoring, 5 persons; 3rd floor—same, 11 persons; 4th floor—same, 19 persons; 5th floor—same, 14 persons; 6th floor—manufacturing infants wear, 20 persons; and

WHEREAS, the building is equipped with an interior fire-alarm system, one interior stairs, 3 ft. 8 in. wide, enclosed in fire retarded partitions, with fireproof self-closing doors at openings, a fire-escape at the rear of the building, extending from the roof to yard with fireproof openings on the course of this fire-escape; and

WHEREAS, it is proposed to eliminate the present exit from the fire-escape through the building at the rear of these premises and to provide an exit from the rear yard to the public hall and thence to street by a fireproof passage at the first floor level.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, and that the application be and it hereby is *granted on condition* that the fireproof passage shall be constructed on the 1st floor from the rear to the enclosure of the existing primary means of exit, as shown on plans filed with

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this appeal; that the enclosure around the primary means of exit shall be of fire-retarded construction throughout, with metal lath and $\frac{3}{4}$ inch cement plaster on both sides; that the fire alarm system shall be maintained; that the occupancy on all floors above the 1st shall be limited to the legal capacity of the primary means of exit; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

APPLIANCE SUBMITTED FOR APPROVAL

851-39-SA.

APPLICANT—Binks Manufacturing Co., for United Metal Box Co., owner.

SUBJECT—Binks Circulating System for Paint Spraying, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Negative	0
Absent: Assistant Chief Walsh	1

THE RESOLUTION—

(851-39-SA)

WHEREAS, the Binks Manufacturing Co., for United Metal Box Co., owner, filed June 23, 1939, an application with the Board of Standards and Appeals for approval of the appliance, known as the Binks Circulating System for Paint Spraying; and

WHEREAS, this material, was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee reads:

REPORT OF COMMITTEE OF THE BOARD

Re: Cal. No. 851-39-SA.

Subject: Binks Circulating System
(for Paint Spraying).

The Binks Mfg. Co., Chicago, Ill., filed an application on June 23, 1939, with the Board of Standards and Appeals for the approval of the Binks Circulating System for paint spraying under the provisions of Rule 6.1.7 of the Board's Rules governing the Use of Equipment for Spraying of Paints, Varnishes, Lacquers and other Flammable Surface Coatings.

The Binks Circulating System consists of a supply tank located in the paint vault, a circulating pump which draws the material from the tank and circulates it through the pipe line system to the spray booths and the unused material back to the tank at liquid pressure never in excess of 5 p.s.i. at the spray gun which is regulated by a diaphragm valve located at the booth, nor more than 25 p.s.i. in the circulating line which is controlled by means of two diaphragm modulating valves, one located at the pump and the other valve is located at the return end of the circulating line prior to tank. A two inch vent to the outside of the building from each tank precludes the possibility of building up an air pressure in the tank.

The advantage of the use of this system is in the fact that the main supply of mixed paints is distant from the spray booths and in case of fire the supply can be shut off. The need for carrying a large supply of mixed paints to each booth does not exist, nor does the need for refilling the individual tanks for each spray booth. All the equipment used is claimed to be of a type approved for use by the Underwriters or the Factory Mutuals for use in explosive atmospheres. The cover of each mixing tank is hinged, gasketed, and is provided with sufficient clamps to assure a tight seal.

On the basis of this data and the inspection of this system by a committee of the board at the plant of the United Metal Box Co., Brooklyn, N. Y., the committee recommends the approval of the Binks Circulating System for paint spraying under the provision of Rule 6.1.7

of the board's Rules for paint spraying. The storage and mixing of paints to comply with the Rules, except that the mixing tank may be increased to 100 gallons capacity when such tanks are located in a room of fire-proof construction.

It is further recommended that the paint piping be of wrought iron and shall be secured to walls, ceilings or columns in such a way as to protect from mechanical injury and that such piping be kept at least 50 feet distant from any baking ovens located on the same floor when not enclosed in fireproof construction. That the electrical equipment be of a type approved for use in explosive atmospheres, the pump and motor be grounded and that remote control switches shall be provided at the spray booth or booths so as to disengage the paint circulating pump in the event of an emergency. That the relief valves be so located as to allow the paint to return to the suction side of the paint circulating pump should the circulating line become plugged through mechanical injury to the piping or otherwise. Before this equipment is used it shall be tested to a pressure of 100 p.s.i.

It is further recommended that each system shall have a prominently displayed label reading as follows: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 851-39-SA," when installed in accordance with the requirements thereof.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
Committee of the Board.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Binks Circulating System for Paint Spraying, on condition that the appliance be manufactured, installed, operated and labelled in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL

411-38-SM.

APPLICANT—Charles W. Caley, for Fir-Tex Insulating Board Co., owner.

SUBJECT—Approval of Fir-Tex Insulating Board, manufactured by Fir-Tex Insulating Board Co.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(411-38-SM)

WHEREAS, Charles W. Caley, for Fir-Tex Insulating Board Co., owner, filed May 26, 1938, an application with the Board of Standards and Appeals for approval of the material known as Fir-Tex Insulating Board; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 411-38-SM.

Subject: Fir-Tex Insulating Fibre Board.

Mr. Charles W. Caley filed in behalf of Fir-Tex Insulating Board Co. of St. Helens, Oregon, on May 26, 1938, a request for the approval of their material

MINUTES

under the requirements of the Fibre Insulation Board Rules of the Board of Standards and Appeals.

Fir-Tex insulation fibre board is manufactured at the plant of the manufacturer located at St. Helens, Oregon, from wood fibres which are obtained by chipping and partially digesting until made soft and then beating the fibres apart after which they are washed so as to remove waste. The fibres are then treated with an arsenic compound so as to render the material resistant to the attacks of vermin, termites and fungus. The fibres are then floated on a screen and washed with resin and passed through the board forming machine where it is formed into board. This material in all respects meets the requirements of Federal Specification LL-F 321a.

The insulation board is manufactured for uses, sizes and thicknesses as follows:

USES AND JOINTS

Building Board — Square	
Width	4'-0"
Length	4'-12'
Thickness	1/2"-1
Sheathing Square	
Width	4'-0"
Length	4'-12'
Thickness	25/32"
Plaster Base — Bevelled on 1/2"	
Bevelled & Shiplapped on 1"	
Width	18"
Length	48"
Thickness	1/2", 3/4", 1"
Roof Insulation Square and Shiplapped	
Width	24" square
	22 shiplapped
Length	48" square
	47 shiplapped
Thickness	1/2", 1", 1 1/2", 2"
Ceiling Tile beveled on surface edges with V joint	
Width	6"-24"
Length	6 -48"
Thickness	1/2, 1"

Fibre insulation board as used for a plaster base has a natural rough surface, plain or asphalt coated on unplastered side. When used for sheathing it is treated on both sides and all edges with asphalt and vermiculite. The roof insulation board is plain without any additional treatment. When used for building board and ceiling tile, these materials are identified by varying textures, designs and colors.

Tests on samples of these materials were made at the laboratories of R. W. Hunt Co., Chicago, Ill., on samples purchased by them in the open market. These tests were made to check against the requirements of Rule No. 1, of the Rules for Insulating Fibre Board of the Board of Standards and Appeals.

ROOFING, INSULATION AND BUILDING BOARD TEST

1/2" x 4' x 8'

	Specifi- cation Require- ments	Test Results
Maximum thermal conductivity, B.T.U. per hour, per square foot, per degree F., per inch thickness (note 1)	0.36	0.320
Minimum transverse strength, Lengthwise (note 2)	14	15.92
Pounds Crosswise (note 2)	12	15.64
Minimum deflection at ultimate load, inches	0.25	0.61

Maximum deflection at ultimate load, inches (note 3)	.85	0.78
Minimum tensile strength, pounds per square inch (note 4)	175	{238 lengthwise {244 crosswise
Water Absorption, per cent	5	4.7
Maximum linear expansion, per cent	1/2	{0.20 longitudinal {0.25 crosswise
Nail Holding Strength Lb... ..	100	2.97

SHEATHING BOARD TEST

25/32" x 4' x 8'

	Specifi- cation Require- ments	Test Results
Maximum thermal conductivity, B.T.U. per hour, per square foot, per degree F., per inch thickness (note 1)	0.36	0.35
Minimum transverse strength, Lengthwise (note 2)	14	38.47
Pounds Crosswise (note 2)	12	36.01
Minimum deflection at ultimate load, inches	0.25	0.54
Maximum deflection at ultimate load, inches (note 3)	.85	0.76
Minimum tensile strength, pounds per square inch (note 4)	175	193.5
Water Absorption, per cent	5	4.7
Maximum linear expansion, per cent	1/2	{0.20 longitudinal {0.25 crosswise
Nail Holding Strength Lb... ..	100	1245*

Racking tests were also made by R. W. Hunt, report No. 26978-1, Test 42, on 25/32" Fir-Tex nailed to an 8' x 12' panel 2" studs 16" c-c while the other panel consisted of a similar panel sheathed with 1" x 8" No. 2 yellow pine shiplap laid horizontally. The results of this test showed that at a maximum load of 5,200 the deflection for Fir-Tex was 1.75" with set 1.25 while for the pine sheathing the deflection at the same load was 5.0" with a set of 3.41". Failure of Fir-Tex sheathing was due to bending of nails followed by a tearing of the sheathing board. Failure of the wood sheathing was caused by the effect of some of the boards and the noticeable bending of the nails.

PLASTER BASE TEST

The sample tested was 1/2" x 18" x 48" with the same results as for 1/2" Building Board tested herein except that the test for plaster board averaged 1,032 lbs. per square foot on 3 samples tested against the specification requirements of 700 lbs. per square foot of bonded surface.

On the basis of these tests meeting the requirements of Rule No. 1, the committee recommends the approval of Fir-Tex Fibre Insulating Board as made by Fir-Tex Insulating Board Co. of St. Helens, Oregon, in sizes and for uses as listed herein for use under the provisions of Rule 2 of the Insulating Fibre Board Rules of the Board of Standards and Appeals, when applied in accordance with the requirements thereof. The use of each class of Board shall be limited to the specifications of such board as are provided herein. When sheathing board is used it shall be applied over studding braced in all angles. This material is shipped in packages and it is recommended that each package shall bear the following inscription: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 411-38-SM," when installed in accord-

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ance with the requirements of the Insulating Fibre Board Rules of the Board of Standards and Appeals.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Fir-Tex Insulating Board, on condition that the material be manufactured, installed and labelled in accordance with above report.

719-39-SM.

APPLICANT—Lawrence Portland Cement Company, Inc., owner.

SUBJECT—Dragon Portland Cement—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(719-39-SM)

WHEREAS, Lawrence Portland Cement Company, Inc., owner, filed May 31, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Dragon Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

October 5, 1939.

Cal. No. 719-39-SM.

Dragon Portland Cement—approval of.

On May 31, 1939, the Lawrence Portland Cement Co., Inc., filed an application for the approval of Dragon Portland Cement as manufactured by the applicant at Siegfried, Pa., for use in New York City pursuant to Section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC).

A record of the supply of raw materials filed with the board indicates that consistently homogeneous raw materials are available for at least 50 years at the present rate of manufacture.

Flow sheets have been filed indicating the methods of manufacture of this product.

Samples of this material were tested in the presence of a representative of the board at the applicant's laboratory at Siegfried, Pa., and at the laboratory of National Bureau of Standards of the United States Department of Commerce at Allentown, Pa., with the following results:

PHYSICAL TESTS

As Tested	Federal Spec. SS-C-191a	A.S.T.M. Specification
Fineness:		
100 mesh 99.8%.....	—	—
200 mesh 97.6%.....	—	—
325 mesh 90.83%.....	—	—
Surface Area		
1600 sq. cm. gm.....	1500	—
Initial Set (Gillmore)	Not less than	Not less than
3 hrs. 15 min.....	60 min.	45 min.

Final Set
7 hrs. 20 min..... Not more than 10 hrs. Not more than 10 hrs.

Autoclave Expansion

.039% — —

Compressive Strength

(Average of 6 specimens—lbs. per sq. in.)

Age 3 days (5 spec.) 2250.....

900

Age 7 days 3679.....

1800

Age 28 days 4800.....

3000

Tensile Strength

(Average of 6 specimens—lbs. per sq. in.)

Age 3 days 347.....

175

Age 7 days 430.....

275

Age 28 days 481.....

350

350

CHEMICAL ANALYSIS AND COMPOUNDS

	As Analyzed	Federal Spec. SS-C-191a	A.S.T.M. Spec.
SiO ₂	20.92	—	—
Al ₂ O ₃	6.08	7.50	—
Fe ₂ O ₃	3.80	6.00	—
CaO	63.07	—	—
MgO	2.31	5.00	5.00
SO ₃	1.84	2.00	2.00
Loss	1.26	3.00	4.00
Insol. Res.	.24	0.75	0.85
C ₃ S	45.88	—	—
C ₂ S	25.45	—	—
C ₁ AF	11.60	—	—
C ₃ A	9.64	—	—

This material is shipped in cloth and paper bags and in bulk.

It is accordingly recommended that Dragon Portland Cement as manufactured by the applicant at Siegfried, Pa., be approved for use in New York City, pursuant to Section C26-312.0 C1 of the Administrative Code (7.1.1.7.3 BC) on condition that certified monthly mill test report of this cement be filed with the board and that all bags be stamped, marked or labelled: "Approved for use in New York City by the Board of Standards and Appeals under Cal. 719-39-SM" and when shipped in bulk its bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Dragon Portland Cement, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

849-39-SM.

APPLICANT—Lawrence Portland Cement Company, Inc., owner.

SUBJECT—Dragon Superior High Early Strength Portland Cement (also known as Vulcanite All-Purpose Cement)—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

MINUTES

Negative 0
Absent 0

THE RESOLUTION—

(849-39-SM)

WHEREAS, Lawrence Portland Cement Company, Inc., owner, filed June 23, 1939, an application with the Board of Standards and Appeals for approval of the material known as Dragon Superior High Early Strength Portland Cement (also sold as Vulcanite All-Purpose Cement); and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

October 9, 1939.

Cal. No. 849-39-SM.

Dragon Superior High Early Strength
Vulcanite All-Purpose Cement—approval of.

On June 23, 1939, the Lawrence Portland Cement Co., Inc., filed an application for the approval of Dragon Superior High Early Strength Portland Cement (also sold as Vulcanite All-Purpose Cement) as manufactured by the applicant at Siegfried, Pa., for use in New York City, pursuant to Section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC).

A record of the supply of raw materials filed with the board indicates that consistently homogeneous raw materials are available for at least 50 years at the present rate of manufacture.

Flow sheets have been filed indicating the methods of manufacture of this product.

Samples of this material were tested in the presence of a representative of the board at the applicant's laboratory at Siegfried, Pa., and at the laboratory of National Bureau of Standards of the U. S. Department of Commerce at Allentown, Pa., with the following results:

PHYSICAL TESTS

<i>As Tested</i>	<i>Federal Spec. SS-C-201</i>	<i>A.S.T.M. Specification</i>
Fineness:		
100 mesh 99.7%.....	—	—
200 mesh 97.9%.....	—	—
325 mesh 96.18%.....	—	—
Surface Area		
2466 sq. cm. gm.....	1900	—
Initial Set (Gillmore)	Not less than	Not less than
2 hrs. 20 min.....	60 min.	45 min.
Final Set		
4 hrs. 40 min.....	—	—
Autoclave Expansion		
.096%	—	—
Compressive Strength		
(Average of 6 specimens—lbs. per sq. in.)		
Age 1 day 1843.....	1250	1300
Age 3 days 3956.....	2500	3000
Age 7 days 5604.....	3500	—
Age 28 days 6612.....	—	More than at 3 days
Tensile Strength		
(Average of 6 specimens—lbs. per sq. in.)		
Age 1 day 361.....	275	275
Age 3 days 454.....	375	375
Age 7 days 508.....	425	—
Age 28 days 561.....	—	More than at 3 days

CHEMICAL ANALYSIS AND COMPOUNDS

<i>As Analyzed</i>	<i>Federal Spec. SS-C-201</i>	<i>A.S.T.M. Spec.</i>
SiO ₂ 20.42	—	—
Al ₂ O ₃ 6.30	7.50	—

Fe ₂ O ₃	2.94	6.00	—
CaO	63.20	—	—
MgO	2.81	5.00	5.00
SO ₃	2.52	2.00	2.00
Loss	1.46	3.00	4.00
Insol. Res.	.28	0.75	0.85
C ₃ S	47.92	—	—
C ₂ S	22.50	—	—
C ₄ AF	8.92	—	—
C ₃ A	11.72	—	—

This material is shipped in cloth and paper bags and in bulk.

It is accordingly recommended that Dragon Superior High Early Strength Portland Cement and Vulcanite All-Purpose Cement, be approved for use in New York City pursuant to Section C26-312.0 C1 of the Administrative Code (7.1.1.7.3 BC), on condition that certified monthly mill test report of this cement be filed with the board and that all bags be stamped, marked or labelled: "Approved for use in New York City by the Board of Standards and Appeals under Cal. 849-39-SM" and when shipped in bulk its bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Dragon Superior High Early Strength Portland Cement (also sold as Vulcanite All-Purpose Cement), *on condition* that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

1075-39-SM.

APPLICANT—Baldwin-Hill Company, owner.

SUBJECT—Baldwin-Hill Company Rock Wool, Flintkote Rock Wool and Keasbey and Mattison Rock Wool—approval of.

APPEARANCES—

For Applicant: W. H. Hill.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 0

Absent 0

THE RESOLUTION—

(1075-39-SM)

WHEREAS, Baldwin-Hill Company, owner, filed August 28, 1939, an application with the Board of Standards and Appeals for approval of the material known as Baldwin-Hill Company Rock Wool, Flintkote Rock Wool and Keasbey and Mattison Rock Wool; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

October 6, 1939.

Re: Cal. 1075-39-SM.

Subject: Baldwin Hill Rock Wool,
Flintkote Rock Wool,
Keasbey and Mattison Rock Wool.

The Baldwin-Hill Company, of Trenton, N. J., filed on August 28, 1939, an application with the Board of

MINUTES

Standards and Appeals for the approval of rock wool under trade names as listed herein under the provisions of the Supplementary Rules and Regulations of the Divisions of Housing of the Department of Housing and Buildings, Section 1-2.4 Mineral Wool and as a fire stopping material Section 1-5 of these rules and under C26-535.0 sub. a and b (8.7.1.8.1) Administrative Building Code, which provides for fire stopping and (8.7.1.8.2), which provides for fire stopping of furred spaces; also, under C26-88.0 (1.80) of the Administrative Building Code as an incombustible material.

This rock wool insulation material is manufactured at the plant of the applicant located at Trenton, N. J., in granulated, loose and bat form. In the latter form it is made in thicknesses of 2 in.-4 in. backed with paper treated to make it moisture-proof. The rock wool itself is treated to make it water repellant and vermin proof.

The applicant has furnished data of a one hour fire test conducted at Columbia University Report No. 2448. This test of the applicants granulated and loose rock wool was made on panels constructed as follows:

Two 24 in. x 40 in. partition sections were constructed with commercial 2 in. x 4 in. studding, each section consisting of four 2 in. x 4 in. studs attached to a 2 in. x 4 in. sill and spaced 11 in., 16 in. and 11 in. c-c respectively. Wood lath were nailed to both faces of the panels, spaced to give a $\frac{1}{4}$ in. key. Over the lath a $\frac{1}{4}$ in. scratch coat of plaster was applied, using a mix composed of 1 part lime putty and 2 parts screened sand, plus cattle hair, and Plaster of Paris equal to 10% of the volume of lime putty. This was followed with a $\frac{3}{8}$ in. brown coat of the same mixture as the scratch coat. A $\frac{1}{8}$ in. finish coat was then applied, using a mixture of 1 part Plaster of Paris to 2 parts lime putty. The total thickness of plaster on each face of the panels was $\frac{3}{4}$ in. At the time of test, the plaster was 14 days old, having dried under normal room temperature conditions.

Panel No. 1 was filled with granulated rock wool while Panel No. 2 was filled with loose rock wool, both packed to a density of 8 lbs. per cu. ft. The panels were then sealed with lath and plaster.

The panels were then subjected to a fire test in accordance with the standard time temperature curve, but with time intervals reduced one half with 1700° F. reached in 30 minutes, which temperature was maintained for the remaining 30 minutes. Temperature readings on the exposed and unexposed surfaces were made by means of thermocouples.

After the one hour period, Panel No. 1 (granulated rock wool) showed a temperature rise of 58° F. on the unexposed side while Panel No. 2 (loose rock wool) showed a temperature rise of 57° F. In both cases the exposed sides of the panels showed varied effects of fire exposure, but the unexposed sides, the lath and plaster were in their original condition, and the temperature rise was within the 250° F. requirement.

The rock wool used herein is claimed by the manufacturer to have a chemical composition as follows: Silica 41%, Iron Oxide 1%, Alumina 8%, Calcium 37% and Magnesia 7%.

On the basis of this test, the committee on tests recommends the approval of the Baldwin Hill Co. rock wool as marketed under the names: Baldwin Hill rock wool, Flintkote rock wool and Keasbey and Mattison rock wool in granulated, loose or bat forms, be approved as a fire retarding material under the Supplementary Rules and Regulations of the former Tenement House Department Section 1-2.4 and C26-191.0 A.C. (2.2.3 BC) provided that the material shall be placed in the studs at a density of not less than 8.0 lbs. per cu. ft. When blown in, it shall be well compacted to eliminate possible voids and prevent bridging where plaster keys are excessive. If cross bridging or other obstructions exist, means shall be taken to gain

access to all spaces between the studs to be fire retarded.

Approval is also recommended for the use of this rock wool in its various forms as outlined herein and bats without paper backing for use as a firestop under Section 1-5 of the Supplementary Rules and Regulations of the former Tenement House Department and under C26-535.0 sub. a and b A.C. (8.7.1.8.1 and 8.7.1.8.2 BC). When this material is installed in accordance with the requirements of these sections and when so installed, the density shall not be less than 8.5 lbs. per cu. ft.

It is further recommended that these various rock wool materials, when marketed by any of the sales agencies as named herein, be installed under the supervision of the manufacturer or his agents and that each bag or carton containing this material shall be stamped, labelled or tagged reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. 1075-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Baldwin-Hill Company Rock Wool, Flintkote Rock Wool and Keasbey and Mattison Rock Wool, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

1214-39-SM.

APPLICANT—Briggs Manufacturing Co., for General Ceramics Co., owner.

SUBJECT—GB-800 Admiral Closet Combination—approval of.

APPEARANCES—

For Applicant: C. R. Middleton.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1214-39-SM)

WHEREAS, the Briggs Manufacturing Co., for General Ceramics Co., owner, filed October 4, 1939, an application with the Board of Standards and Appeals for approval of the material, known as GB-800 Admiral Closet Combination; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 1214-39-SM.

Approval of GB-800 Admiral Closet Combination.

The Briggs Manufacturing Co., agent for the General Ceramics Co., owner, filed October 4, 1939, an application with the Board of Standards and Appeals for approval of the GB-800 Admiral Closet Combination under the provisions of C26-1277.0-i (14.8.2.9) Adm. Building Code.

The GB-800 Admiral Closet Combination is a close coupled closet and tank combination siphon action reverse trap bowl with jet, employing a swirling rim flush to increase efficiency of action and reduce noise.

MINUTES

The tank is mounted directly on the integral shelf back at the rear of bowl with a rubber gasket between the tank and shelf, the tank being fastened to shelf with 2 bolts.

The tank has a total capacity of 5½ gallons, and 4½ gallons water flush with all fittings in place. The tank is equipped with a Scovil No. 18 ballcock which has been tested and approved by the board as an auto syphon device under Cal. No. 515-39-SM.

A sanitary flow test was made at 25 East 30th street. Torn newspapers and the equivalent of 32 pieces of toilet paper were washed down without stoppage. It is recommended that the GB-800 Admiral Closet Combination be approved for use in New York City, on condition that the Closet have a label reading, "Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 1214-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as GB-800 Admiral Closet Combination, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

Adjourned, 5:30 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on May 23, 1939, as they appeared in Bulletin No. 22, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(521-38-A)

WHEREAS, Sidney L. Strauss, for 369 Washington Street Corporation, owner, filed on June 22, 1938, an appeal from an order of the fire commissioner and an order of the borough superintendent of buildings, affecting premises 384 Greenwich street, west side, 50 ft. north of North Moore street and 369 Washington street (Block No. 186, Lot Nos. 25 and 35), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 9391-LC, dated October 22, 1937, reads:

"1. Forthwith discontinue the storage of empty wooden packing boxes or crates on these premises in excess of 2,000 cubic feet until such time as an automatic sprinkler system has been installed and the administrative official having jurisdiction has certified that building is free of any violation, any law or ordinance applicable to a building of its class and kind."

and

WHEREAS, the order of the borough superintendent of buildings, re Exit Order No. 52-1937, dated October 11, 1937, reads:

"You are hereby directed to provide a fire escape on the Washington street side of the building, of 60° connecting stairs, 20 in. wide, balconies to be 3 ft. wide, guard rails and hand rails to be 36 in. high and a drop ladder in guides from lowest balcony to ground."

and

WHEREAS, the building is five stories (54 ft. 11 in.) in height, 25 ft. by 160 ft. 2 in. in area, of nonfireproof construction; located in an unrestricted use district; erected in 1895 and occupied: Cellar—storage; 1st floor—storage and

shipping, 7 persons; 2nd floor—storage of empty boxes and offices, 3 persons; 3rd, 4th and 5th floors—storage of empty wood boxes, no persons, for which no certificate of occupancy has been issued; and

WHEREAS, this appeal was withdrawn July 19, 1938; and

WHEREAS, William Conran for Conran Standpipe Company requested a reopening of the appeal; and

WHEREAS, this appeal was reopened by vote of the board April 18, 1939; and

WHEREAS, order No. 9391-LC, of the fire commissioner was superseded by order No. 16296-LC, dated March 8 1939, and reads:

"1. Forthwith discontinue the storage of empty wooden packing boxes or crates on these premises in excess of 2,000 cu. ft. until such time as an automatic sprinkler system has been installed * * *."

and

WHEREAS, it is proposed to install the Conran system of standpipes in the Greenwich street end of the building and it is contended that the Washington street front is accessible to streams from the fire department; and

WHEREAS, applicant requests a further modification as to the automatic alarm, which contrary to a previous statement, has not been installed.

Resolved, that the resolution adopted by the board, April 18, 1939, be and it hereby is amended so that as amended it shall read:

"Resolved, that the order of the fire commissioner, No. 16296-LC, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that in lieu of the automatic sprinkler system there shall be installed on the Greenwich street side throughout all stories above the first floor a Conran standpipe system, as approved by the Board of Standards and Appeals under Cal. No. 293-37-SA, except that the size of riser shall comply with the requirements of Code section C26-1387.0 (16.2.2), and that the order of the borough superintendent, exit order No. 52-37, dated October 11, 1937, as to fire-escape to be erected on the Washington street side of the building, shall be complied with; that there shall be installed throughout the cellar a non-automatic dry sprinkler system with single hose inlet on the Greenwich street and Washington street fronts with signs painted aluminum and stating area covered and having all fittings of malleable iron; that there shall be a band painted red, 2 inches in width around the interior walls on each floor, 18 inches down from the lowest level of the ceiling and that there shall be installed in the aisle on each floor at least two (2) signs, one toward the Greenwich street end and one toward the Washington street end, reading 'No material shall be stacked higher than the painted band on wall.'"

*Correction—The words "above the first floor" inserted in line 65 of resolution and the words "except that the size of riser shall comply with the requirements of code section C26-1387.0 (16.2.2)" inserted in lines 67 and 68 of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on December 20, 1938, as they appeared in Bulletin No. 52, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(1107-38-A)

WHEREAS, Conran Standpipe Co., Inc., for Jerome Tanenbaum, et al., owners, filed on December 1, 1938, an appeal from an order and decision of the fire commissioner, affecting premises 207 Greene street, west side, 177 ft. south of West Third street (Block No. 534, Lot No. 31), Borough of Manhattan; and

WHEREAS, order No. 957-LF, issued by the fire commissioner November 30, 1938, reads:

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"1. Install an approved system of automatic sprinklers throughout the building having at least one source of water supply, arranged and equipped as per Article 16, Chapter 26, Administrative Code, C19-161.0 Admin. Code."

and

WHEREAS, said order was repeated in decisions of the fire commissioner, dated November 23, 1938 and November 30, 1938; and

WHEREAS, the building is 6 stories (75 ft. 10 in.) in height, 27 ft. by 94 ft. in area; of non-fireproof construction located in unrestricted use district; occupied: Subcellar and cellar—storage of rag clippings, no persons; 1st floor—sorting of rag clippings; 2nd floor—sorting of rag clippings; 3rd, 4th, 5th and 6th floors—storage of rag clippings; and

WHEREAS, the applicant contends that the building is equipped with a fire alarm signal system and is unheated; and

WHEREAS, the applicant requests that in lieu of compli-

ance with the order, an approved Conran system of Standpipes with outlets at all floors above the 1st floor and a fire department siamese connection be accepted.

Resolved, that the order of the fire commissioner, No. 957-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing perforated pipe system in the cellar and subcellar shall be put in proper condition satisfactory to the fire commissioner and that there shall be installed on all stories above the ground floor level, a Conran system of standpipes, as approved by the board under Cal. No. 293-37-SA, *except that the size of riser shall comply with the requirements of Code section C26-1387.0 (16.2.2)*, and that any existing hatch openings in the floor between stories shall be equipped with automatic trap door with fusible link.

*Correction—The words "*except that the size of riser shall comply with the requirements of Code section C26-1387.0 (16.2.2)*" inserted in lines 38 and 39 of resolution.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

PUBLIC HEARING

PROPOSED RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES.

(1139-39-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, October 20, 1939, at 10 a.m., Room 1013, Municipal Building, Manhattan, on Proposed Rules for Inspection of Approved Opening Protective Assemblies.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Code (2.2.1.1) and C26-610.0 Administrative Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Building Code, it shall be tested as required in Section 10.1.18 and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved fire doors of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such doors are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Superintendent of Buildings, or by a recog-

nized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved door or window and the manufacturer and the number of such units to be manufactured.

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals. Where a door is of fire-proofed wood, such wood shall be submitted to tests for fireproof wood, as prescribed in the Code. Sect. 7.2.3.1 to 7.2.3.9 inclusive.

Rule 3—Labels.

3.1 Every approved Fire Door or Window before installation in a building under the provisions of the Building Code shall have securely attached to the door, a metal label of a design approved by the Board, giving the name of the door or window, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to an approved Fire Door, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the door or window a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each door or window manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of the same type and material as tested with approved Opening Protective Assembly.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth ($1/200$) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($7/8$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($1/4$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($1/2$) inch plaster boards, or three-eighths ($3/8$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($1/4$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($3/4$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, one-half ($1/2$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($7/8$) inch wood sheathing, two thicknesses of one-quarter ($1/4$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY.

BOARD OF STANDARDS AND APPEALS

- HARRIS H. MURDOCK, Chairman**
- BERNARD A. SAVAGE**
- CHARLES M. BLUM**
- CHIEF JOHN J. McELIGOTT**
- JOSEPH J. DOYLE, Chief Clerk**

OFFICE—Municipal Building, Rooms 1000 to 1018.
TELEPHONE—WOrth 2-0184.
OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.
Address all communications to the Chairman.

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- Court Decisions.
- Rules Directory.
- The Hearing Calendar.
- Minutes of Regular Meeting October 17, 1939, at 10 A. M., Affecting Calendar Numbers 703-38-BZ, 738-38-BZ, 583-39-BZ, 671-39-BZ, 737-39-BZ, 440-38-BZ, 178-39-BZ, 279-39-BZ, 305-39-BZ, 411-39-BZ, 465-39-BZ-WF and 797-39-BZ.
- Minutes of Regular Meeting October 17, 1939, at 2 P. M., Affecting Calendar Numbers 134-26-BZ, 1024-27-BZ, 77-33-BZ, 763-38-BZ, 79-35-BZ, 364-36-BZ, 737-28-BZ, 507-37-BZ, 523-38-BZ, 582-38-BZ, 770-38-BZ, 1037-39-A, 1058-39-A, 1111-39-A, 993-39-A, 1083-39-A-WF, 1202-39-A, 1207-39-A, 1215-39-A, 1218-39-A, 1221-39-A, 1222-39-A, 1234-39-A, 1235-39-A, 1266-39-A, 1267-39-A, 129-34-A, 349-37-A, 171-39-A, 652-39-A, 1193-39-A, 918-22-SA, 238-33-SA, 166-34-SA, 1200-39-SA, 1205-39-SA, 222-38-SM, 1229-38-SM, 498-39-SM, 499-39-SM, 578-39-SM, 1136-39-SM, 1137-39-SM and 1170-39-SM.
- Minutes of Special Meeting October 20, 1939, at 10 A. M., Affecting Calendar Number 1139-39-SR.
- Corrections Affecting Calendar Numbers 29-32 and 983-39-A.
- Rules for Inspection of Approved Opening Protective Assemblies.
- Factory Exit Rules.
- Smoking in Factory, Rules.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to October 17, 1939

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
1254-39-A.....	H.B.Q.....	67-46 to 67-52 Myrtle avenue and 302-306 68th street, southwest corner (Block No. 3702, Lot No. 25), Glendale, Borough of Queens, Misc. Applic. 5588-39.
1255-39-S.....	H.B.M.....	164 Madison avenue, west side, 49 ft. 4½ in. south of East 33rd street (Block No. 862, Lot No. 56), Borough of Manhattan, Alt. 2705-35.
1256-39-BZ.....	H.B.Q.....	129-01 101st avenue, northeast corner of 129th street (Block No. 9473, Lot No. 28), Richmond Hill, Borough of Queens, N.B. 6611-39.
1257-39-A.....	H.B.Q.....	60-94 69th avenue, southeast side, 400 ft. northeast of 60th lane (Block No. 3536, Lot No. 21), Ridgewood, Borough of Queens, Misc. Applic. 5345-39.
1258-39-A.....	F.D.....	13-15 Charles street, east side, 100 ft. north of Prospect street, 126-132 Gold street and 167 Prospect street (Block No. 70, Lot No. 1), Borough of Brooklyn, 3195-L.F.
1259-39-A.....	F.D.....	30-01 to 30-25 49th avenue and 48-01 30th street, southwest corner and 30-02 to 30-28 48th avenue and 48-02 30th place (Block No. 287, Lot No. 11), Long Island City, Borough of Queens, 3255-L.F.
1260-39-BZ.....	H.B.B.....	6424 18th avenue and 1771-1775 65th street, northwest corner (Block No. 5546, Lot Nos. 50, 53, 57 and 58), Borough of Brooklyn, N.B. 2466-39.
1261-39-BZ.....	H.B.B.....	2701 Fort Hamilton parkway, northwest corner of Prospect avenue (Block No. 5284, Lot No. 64), Borough of Brooklyn, Misc. Applic. 6380-39.
1262-39-A.....	H.B.Q.....	75-64, 75-68 and 75-72 187th street, northwest corner of Union turnpike and west side of 187th street, 44.35 ft. and 84.35 ft. north of Union turnpike (Block No. 7203, Lot No. 30), Flushing, Borough of Queens, N.B. 7875-39, N.B. 7879-39 and N.B. 7887-39.
1263-39-A.....	H.B.Q.....	75-63, 75-67 and 75-71 187th street, northeast corner of Union turnpike and east side of 187th street, 53.45 ft. and 95.45 ft. north of Union turnpike (Block No. 7204, Lot No. 30), Flushing, Borough of Queens,

N.B. 7870-39, N.B. 7873-39 and N.B. 7878-39.

1264-39-SM.....	Hummer System (for applying substitutes for plaster), manufactured by Westchester Asbestos Corporation, Material.
1265-39-A.....	H.B.M.....825-829 First avenue and 351-353 East 46th street, northwest corner (Block No. 1339, Lot Nos. 22½, 23, 24 and 25), Borough of Manhattan, N.B. 49-39.
1266-39-A.....	H.B.Q.....41-11 40th street, southeast corner of Skillman avenue (Block No. 185, part of Lot No. 17), Sunnyside, Borough of Queens, N.B. 6535-39.
1267-39-A.....	H.B.Q.....41-12 41st street, southwest corner of Skillman avenue (Block No. 185, part of Lot No. 17), Sunnyside, Borough of Queens, N.B. 5982-39.
1268-39-SM.....	Cinder Blocks, manufactured by Picone Brothers, Material.
1269-39-SM.....	Solid Cement or Concrete Blocks and Hollow Cement or Concrete Blocks, manufactured by Cogliano and Company, Material.
1270-39-BZ....	H.B.Bx....655 Westchester avenue and 670 Trinity avenue, northeast corner (Block No. 2635, Lot Nos. 1, 4 to 10 inclusive, 61 and 63 to 65 inclusive), Borough of The Bronx, Decision.
1271-39-A.....	H.B.M.....11-25 Madison avenue and 38-60 East 25th street, southeast corner (Block No. 854, Lot Nos. 1 to 41 inclusive), Borough of Manhattan, N.B. 20-38.
1272-39-SM.....	Master Builders Iron Method Metallic Waterproofing, manufactured by Master Builders Company, Material.
1273-39-SM.....	Master Builders Metallic Hardener, Master Builders Metallic Iron and Master Builders Masterplate, manufactured by Master Builders Company, Material.
1274-39-SM.....	Master Builders Bonding Iron and Embeco (metallic powder), manufactured by Master Builders Company, Material.
1275-39-SM.....	Mastermix and Pozzoloth (hardener and waterproofer for concrete floors), manufactured by Master Builders Company, Material.
1276-39-SM.....	Master Builders Concrete Pre-

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servative and Saniseal (for resisting wear and waterproofing concrete floors), manufactured by Master Builders Company, Material.

1277-39-SM.....Master Builders Colored Metallicron and Master Builders Non-Slip Metallicron, manufactured by Master Builders Company, Material.

1278-39-SM.....Master Builders Omicron Mortar-proofing manufactured by Master Builders Company, Material.

1279-39-SM.....Mastertex (waterproof cement paint in white and colors), manufactured by Master Builders Company, Material.

1280-39-SM.....Masterseal No. 1, Masterseal No. 2 and All-Weather Masterseal (colorless surface waterproofing), manufactured by Master Builders Company, Material.

1281-39-SM.....Dycrome, Dycrome Oil and Dycrome Wax (chemical compound for dyeing concrete floors), manufactured by Master Builders Company, Material.

1282-39-SM.....Colormix, Kurokrome, Colorwax and Coloroil (material for hardening and coloring floors), manufactured by Master Builders Company, Material.

1283-39-SM.....Stearox No. 30 and Stearox No. 50 (waterproofing for mass concrete and mortar), manufactured by Master Builders Company, Material.

1284-39-A.....H.B.Q.....103-27 Lefferts boulevard, east side, 260 ft. south of 103rd avenue (Block No. 9557, Lot No. 55), Morris Park, Borough of Queens, Alt. 2346-39.

1285-39-BZ.....H.B.Q.....21-29 44th drive, north side, 90 ft. east of 21st street (Block No. 438, part of Lot No. 6), Long Island City, Borough of Queens, Misc. Applic. 7625-39.

1286-39-BZ-WF..H.B.Q...105-09 to 105-45 64th road and 64-01 to 64-33 Aero place, northeast corner and 105-38 to 105-46 64th avenue (Block No. 2149, Lot No. 65), Forest Hills, Borough of Queens, Misc. Applic. 6896-39.

1287-39-BZ-WF..H.B.Q...64-01 to 64-19 Yellowstone boulevard and 64-02 to 64-34 Aero place, northeast corner and 105-02 to 105-26 64th ave-

nue (Block No. 2149, Lot No. 1), Forest Hills, Borough of Queens, Misc. Applic. 6897-39.

1288-39-A.....H.B.Q.....Pequot road and 88th street, 851.49 ft. west of the west side of 88th street and 617.42 ft. south of Cooper avenue (Block No. 3810, Lot No. 275), Glendale, Borough of Queens, Alt. 2230-39.

1289-39-BZ....H.B.M.....423-425 West 35th street, northeast corner of Dyer avenue (Block No. 733, Lot Nos. 21 and 22), Borough of Manhattan, Decision re Certificate of Occupancy.

Restored to Calendar

1024-27-BZ....H.B.Bx.....1650 Jerome avenue, northeast corner of East 174th street (Block No. 2848, Lot No. 1), Borough of The Bronx, Alt. 433-39.

77-33-BZ.....H.B.Q.....Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens, Plan. No. 224-33.

763-38-BZ.....H.B.M.....728-744 Second avenue, east side, 24.8 ft. south of East 40th street and 303 East 39th street (Block No. 945, Lot Nos. 1, 4 and 6), Borough of Manhattan, Decision.

134-26-BZ....H.B.Bx.....871 East 175th street, north side, 51.1 ft. east of Mohegan avenue (Block No. 2958, Lot No. 65), Borough of The Bronx, Zone Viol. 17-31 and Decision.

1193-39-A.....H.B.M.....1-19 Seventh avenue, east side, from West 11th to West 12th streets, 143-157 West 11th street and 148-178 West 12th street (Block No. 607, Lot Nos. 1, 67 and 68), Borough of Manhattan, Decision.

918-22-SA.....Williams Oil-O-Matic Fuel Oil Burner, Models HP 3A Sentinel and HP-1 Sentinel, Appliance.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.E.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS

On October 19, 1939, Bochever, McManus and Ostrow, attorneys, served order of certiorari on Board of Standards and Appeals, on

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behalf of Joseph Rosenbaum, owner, in re decision of board of September 19, 1939, denying gasoline station under section 21, in business district, Cal. No. 414-1939-BZ, at premises 1031-1041 Bedford avenue, Borough of Brooklyn.

COURT DECISIONS

Edwards vs. Murdock—On January 10, 1939, board revoked certificate of occupancy No. 21340-1936, declaring that cubicle partitions in effect form rooms and are illegal unless they conform to Sections 31 and 32 of the Multiple Dwelling Law, and deciding that the certificate of occupancy permitting these cubicles was illegal; Cal. No. 964-38-A; premises 6 Chatham square, Borough of Manhattan. Mr. Justice Collins sustained board (N.Y.L.J., June 27, 1939) stating in part: "Section 646-g of the New York Charter specifically empowers the board to set aside or vacate the certificate of occupancy which had been improperly and illegally issued to petitioner's predecessor, and it appears that the board was justified in revoking it." Appellate Division unanimously sustained Special Term and Board; no opinion (N.Y.L.J., October 21, 1939).

Flagg vs. Murdock—On June 28, 1939, board affirmed decision of Tenement House Commissioner, denying use of cellar of Multiple Dwelling in residence use district for business occupancy for the convenience of the occupants of this multiple dwelling covering about a square block, also denied zoning variances under section 21, Cal. Nos. 149-37-BZ and 530-37-BZ, at premises known as Flagg Court, 7202-24 Ridge boulevard w.s. from 72nd to 73rd streets, 158-190 72nd street and 181-191 73rd street, Borough of Brooklyn.

Two certiorari orders were served on board. One as to the dancing school and the second as to business uses, various shops.

Mr. Justice Lockwood decided both proceedings (N.Y.L.J., October 23, 1939).

In Action No. 1, as to the dancing school, the board was reversed, the court holding it to be a school and as such not prohibited by the zoning law and further that as the cellar of the multiple dwelling might legally be devoted to recreational purposes, the dancing school for the children of the tenants would come within that classification.

In Action No. 2, the court held that, since the dress and shoe repair shops and beauty parlor had been discontinued during the pendency of the proceedings, "we are now here concerned only with the space used by the barber, tailor, gift shop and restaurant." The tailor shop being merely a valet service—collecting clothing to be taken away and pressed and cleaned elsewhere—was held to be a permitted use. The court also stated:

"Petitioner's premises are not a hotel but a class A multiple dwelling, so that the reference to activities permitted in a hotel has no application. . . . The court must administer the law as it finds it. . . . the advisability of permitting stores such as petitioner has in the inner court of a large multiple dwelling is a matter for legislative, not judicial determination."

The Board's determination was affirmed, also the order of the Tenement House Commissioner "except so much of said order as referred to the tailor shop used only as a valet's collection room."

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OCTOBER 24, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 24, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1013-38-BZ—Application, November 10, 1938, under section 7h of the building zone resolution, of John Beveridge, applicant and lessee, on behalf of Jesse Knight, Edith Howells, Daisy Howells, American Savings Bank, Ernest Hoehn and Union Dime Savings Bank, owners, to permit in a business use district, the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution; dismissal action rescinded and application restored to calendar); premises 1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21 to 25, inclusive), Borough of Manhattan.

CAL. NO. 739-39-BZ—Application, June 1, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of 1726 Lexington Avenue, Inc., owner (John A. Alexander, lessee), to permit in a business use district, the erection and maintenance of a gasoline service station; premises 130 East 108th street and 1726-1730 Lexington avenue, southwest corner (Block No. 1635, Lot Nos. 57, 156 and 157), Borough of Manhattan.

CAL. NO. 413-39-BZ—Application, March 30, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of New York Rapid Transit Corporation and Brooklyn-Manhattan Transit Company, owners (Gulf Oil Corporation, lessee), to permit partly in a business use district and partly in a residence use district,

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the extension of a gasoline service station; premises 464-484 Flatbush avenue and 1-33 Ocean avenue, southwest corner (Block No. 5024, part of Lot Nos. 28 and 37), Borough of Brooklyn.

CAL. NO. 552-39-BZ—Application, May 3, 1939, under section 21 of the building zone resolution, of Bernhardt T. Berman, applicant, on behalf of Elias Goldberg, owner, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1028-1030 Utica avenue, west side, 100 ft. south of Tilden avenue (Block No. 4734, Lot No. 11), Borough of Brooklyn.

CAL. NO. 1007-39-BZ—Application, July 27, 1939, under section 7h of the building zone resolution, of Oscar Goldschlag, applicant, on behalf of Helen Robertson, Claire F. Schimmel and Excelsior Savings Bank, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2334-2364 Jerome avenue, east side, 96 ft. south of East 184th street (Block No. 3187, Lot Nos. 14 and 21), Borough of The Bronx.

CAL. NO. 742-39-BZ—Application, June 5, 1939, under sections 7c and 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of F. D. Koehler Co., Inc., owner, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline service station; premises 1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

CAL. NO. 671-39-BZ—Application, May 22, 1939, under sections 7c and 21 of the building zone resolution, of Theodore R. Feinberg, applicant, on behalf of Arthern Corporation, owner, (Reshen Sons, lessee), to permit in a business use district, the extension of an existing gasoline service station; premises 108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens.

CAL. NO. 746-39-BZ—Application, June 7, 1939, under sections 7c, 7f and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Brooklyn Development Company, owner (George E. Weidner, lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a golf driving range and accessory club house; premises 2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

Appeal from Administrative Decision

894-39-A—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn (Under Section 35, General City Law, Re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 24, 1939, 2 P. M.

Appeals from Administrative Decisions

1058-39-A—24 First avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1088-39-A—306 West 102nd street, south side, 125 ft. west of West End avenue (Block No. 1889, Lot No. 64), Borough of Manhattan.

1164-39-A—114 West 30th street, south side, 176 ft. west of Sixth avenue (Block No. 805, Lot No. 71), Borough of Manhattan.

1223-39-A—3472 Jerome avenue, east side, 228.35 ft. south of East Gun Hill road (Block No. 3327-A, Lot No. 100), Borough of The Bronx.

1244-39-A—1406-1410 Kings highway, south side, 25 ft. 4¾ in. east of East 14th street (Block No. 6797, Lot No. 101), Borough of Brooklyn.

1062-39-A—115-117 Worth street, northwest corner of Lafayette street (Block No. 170, Lot No. 12), Borough of Manhattan.

1119-39-A—58-64 Clay street, south side, 116 ft. 8 in. west of Manhattan avenue and 1109-1113 Manhattan avenue (Block No. 2487, Lot No. 34), Borough of Brooklyn.

1026-39-A—246 Frost street, south side, 100 ft. west of Kingsland avenue (Block No. 2866, Lot No. 32), Borough of Brooklyn.

1087-39-A—447-459 West 26th street, north side, 125 ft. east of Tenth avenue (Block No. 724, Lot Nos. 7 to 10, inclusive), Borough of Manhattan.

1219-39-A—440 East 102nd street, southwest corner of East River drive (Block No. 1695, Lot No. 25), Borough of Manhattan.

1162-39-A—8782-8792 26th avenue, southwest corner of Bath avenue (Block No. 6896, Lot No. 41), Borough of Brooklyn.

1211-39-A—43 Crown street, north side, 110 ft. west of Franklin avenue (Block No. 1189, Lot No. 31), Borough of Brooklyn.

1196-39-A—322-328 Dean street, south side, 175 ft. east of Third avenue (Block No. 198, Lot Nos. 15, 17 and 18), Borough of Brooklyn.

1106-39-A—860 Kent avenue, west side, 423.8 ft. south of Park avenue (Block No. 1897, Lot No. 38), Borough of Brooklyn.

1226-39-A—48-06, 48-12, 48-16, 48-20 and 48-24 Fresh Meadow road, northwest corner of Pidgeon Meadow road and west side of Fresh Meadow road, 91.08 ft., 131.08 ft., 171.08

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- ft. and 211.08 ft. north of Pidgeon Meadow road (Block No. 5577, Lot No. 35), Flushing, Borough of Queens.
- 1227-39-A—49-12, 49-16, 49-20, 49-24, 49-28 and 49-32 Utopia parkway, northwest corner of Peck avenue, west side of Utopia parkway, 42 ft., 82 ft. and 122 ft. north of Peck avenue and 102.04 ft. and 146.18 ft. south of Underhill avenue (Block No. 5590, Lot Nos. 19, 50 and 54), Flushing, Borough of Queens.
- 1228-39-A—49-03, 49-07, 49-11, 49-15, 49-19, 49-23, 49-27 and 49-31 Utopia parkway, southeast corner of Underhill avenue, east side of Utopia parkway, 50 ft., 90 ft. and 130 ft. south of Underhill avenue, 40 ft. 80 ft. and 120 ft. north of Peck avenue and northeast corner of Utopia parkway and Peck avenue (Block No. 5636, Lot Nos. 1, 8 and 12), Flushing, Borough of Queens.
- 1229-39-A—49-38, 49-42, 49-44, 49-48, 49-52, 49-54, 49-58, 49-62, 49-66 and 49-70 Utopia parkway, southwest corner of Peck avenue, west side of Utopia parkway, 32 ft., 71 ft., 110 ft. and 149 ft. south of Peck avenue, 16 ft., 55 ft., 94 ft. and 133 ft. north of 50th avenue and northwest corner of Utopia parkway and 50th avenue (Block No. 5592, Lot No. 1), Flushing, Borough of Queens.
- 1230-39-A—49-37, 49-41, 49-45, 49-49, 49-53 and 49-57 Utopia parkway, southeast corner of Peck avenue, east side of Utopia parkway, 50 ft. and 90 ft. south of Peck avenue, 77 ft. and 117 ft. north of 50th avenue and northeast corner of Utopia parkway and 50th avenue (Block No. 5637, Lot No. 1), Flushing, Borough of Queens.
- 1151-39-A—81-41 102nd avenue, north side, 250 ft. west of 84th street (Block No. 9081, Lot No. 59), Richmond Hill, Borough of Queens.
- 1159-39-A—176-01 (also known as 175-02) Baisley boulevard, east side, intersection of Baisley boulevard, Irwin place and 120th avenue (Block No. 3180, Lot No. 1), St. Albans, Borough of Queens.
- 1296-39-A—Northwest corner of 69th place and 60th street (Block No. 2831, part of Lot No. 1), Maspeth, Borough of Queens.
- 1262-39-A—75-72, 75-68 and 75-64 187th street, northwest corner of Union turnpike and west side of 187th street, 100.18 ft. and 124.35 ft. north of Union turnpike (Block No. 7203, Lot No. 30), Flushing, Borough of Queens.
- 1263-39-A—75-63, 75-67 and 75-71 187th street, northeast corner of Union turnpike and east side of 187th street, 100.19 ft. and 133.45 ft. north of Union turnpike (Block No. 7204, Lot No. 30), Flushing, Borough of Queens.

OCTOBER 31, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 31, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1222-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Louis Caner, owner, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores); premises 794-798 Saratoga avenue, west side, 100 ft. 234 in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

CAL. NO. 794-39-BZ—Application, June 14, 1939, under section 21 of the building zone resolution, of Mayers, Murray and Phillip, applicants, on behalf of Seamen's Bank for Savings, owner, to permit in a residence use district, the erection and maintenance of an electrically illuminated sign; premises 314 West 49th street, south side, 250 ft. west of Eighth avenue and 319-335 West 48th street (Block No. 1039, Lot Nos. 43 and 17), Borough of Manhattan.

CAL. NO. 933-38-BZ—Application, October 11, 1938, under section 7h of the building zone resolution, of George E. McCoy, applicant and lessee, on behalf of Pennsylvania Railroad Company, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 234-236 West 31st street, south side, 400 ft. west of Seventh avenue (Block No. 780, Lot No. 60), Borough of Manhattan.

CAL. NO. 704-39-BZ—Application, May 27, 1939, under section 7h of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Caroline Candidus and Estate of Charles Doscher, owners (Harry Weissler, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 698-720 Livonia avenue, south side, between Wyona street and Bradford street, 552-562 Bradford street and 545-555 Wyona street (Block No. 3826, Lot Nos. 21 and 27), Borough of Brooklyn.

CAL. NO. 846-39-BZ—Application, June 23, 1939, under sections 7h and 21 of the building zone resolution, of Amend and Amend, applicants, on behalf of Central Savings Bank in the City of New York, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises South side of East 162nd street, 100 ft. west of Sheridan avenue (Block No. 2460, Lot No. 10), Borough of The Bronx.

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CAL. NO. 458-39-BZ—Application, April 6, 1939, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Chassen Bros., owner, to permit in a residence use district, the alteration and conversion of a stable to a bakery; premises 60-17 to 60-25 68th road, north side, 165 ft. east of 60th street and 60-18 to 60-20 68th avenue (Block No. 3513, Lot Nos. 20, 50 and 52), Ridgewood, Borough of Queens.

CAL. NO. 1023-38-BZ—Application, November 15, 1938, under sections 7h and 21 of the building zone resolution, of Catherine Godfrey, applicant and lessee, on behalf of Leonora Brown, owner; to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 168-30 89th avenue, southeast corner of 168th place (Block No. 9801, part of Lot No. 51), Jamaica, Borough of Queens.

CAL. NO. 1092-38-BZ—Application of James J. Millman, applicant, on behalf of Sambern Realty Corporation, owner, reopened under new facts May 23, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles, limited to tenants of adjoining apartment houses only (previously denied re public parking lot); premises 167-01 to 167-19 Depot road, north side, entire block, between 167th street and 168th street, 36-27 to 36-39 167th street and 36-34 to 36-42 168th street (Block No. 5294, Lot No. 1 and part of Lot No. 6), Flushing, Borough of Queens.

CAL. NO. 98-39-BZ—Application, January 24, 1939, under section 21 of the building zone resolution, of James A. Pietsch, applicant, on behalf of Kathryn S. Cooke, owner, to permit in a residence use district, the maintenance of garage space for more than three (3) motor vehicles; premises 205-209 Hart boulevard, east side, 343 ft. south of Forest avenue (Block No. 250, Lot No. 89), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 31, 1939, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

925-39-A—220-224 West 124th street, south side, 193 ft west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

NOVEMBER 8, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 8, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 766-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Oliver Reagan, applicant, on behalf of Estate of Erskine Hewitt, owner (Norvin H. Green, executor), to permit in a residence use district, the alteration and change of occupancy of an existing building (private stable and dwelling) to office use and dwelling; premises 144 East 39th street, south side, 197 ft. east of Lexington avenue (Block No. 894, Lot No. 56), Borough of Manhattan.

CAL. NO. 836-39-BZ—Application, June 21, 1939, under section 21 of the building zone resolution, of Isidore Wolsk, applicant, on behalf of Gotham Equities Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1793-1799 Eastern parkway, north side, 68.4 ft. west of Dean street and 2348-2354 Dean street (Block No. 1449, Lot Nos. 19 and 21), Borough of Brooklyn.

CAL. NO. 1093-39-BZ—Application, August 17, 1939, under section 21 of the building zone resolution, of Lockwood Greene Engineers, Inc., applicant, on behalf of News Syndicate, Inc., owner, to permit in an unrestricted use district and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building; said extension not conforming with the "B" area requirements of the building zone resolution; premises 684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28, inclusive), Borough of Brooklyn.

CAL. NO. 1056-39-BZ—Application, August 21, 1939, under section 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of 511 Faile Street Corporation, owner, to permit in a business use district, the erection and maintenance of an iron or steel works; premises East side of Faile street, 200 ft. north of Oak Point avenue (Block No. 2769, Lot Nos. 38-41), Borough of The Bronx.

CAL. NO. 59-39-BZ—Application, January 16, 1939, under section 21 of the building zone resolution, of A. L. Marinelli, applicant, on behalf of Joseph Di Blasi, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 113-01 Northern boulevard, northeast corner of 112th place (Block No. 1707, Lot No. 38), Corona, Borough of Queens.

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CAL. NO. 295-39-BZ—Application, March 8, 1939, under sections 7b, 7c and 21 of the building zone resolution, of Louis Danancher, applicant, on behalf of Morris Manes, owner, to permit partly in a business use district and partly in a residence use district, the maintenance of an extension to a business building; premises 113-19 Jamaica avenue, north side, 25 ft. west of 114th street (Block No. 4227, Lot No. 77), Richmond Hill, Borough of Queens.

CAL. NO. 103-31-BZ—Application Lama and Proskauer, applicants, on behalf of Aljac Garage and Repair Shop, Inc., owner, reopened February 28, 1939, under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station (previously granted by the board re garage for more than five (5) motor vehicles); premises 124-17 Metropolitan avenue, north side, 20.68 ft. east of 124th place (Block No. 9243, Lot Nos. 185, 189 and 318), Richmond Hill, Borough of Queens.

CAL. NO. 703-38-BZ—Application, August 8, 1939, under section 7h of the building zone resolution, of Alice M. Johnston, applicant, on behalf of J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners (Charles Miller, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.

CAL. NO. 585-39-BZ—Application, May 8, 1939, under sections 7a and 21 of the building zone resolution, of Vincent Schiliro, applicant, on behalf of Mary Schnappauf, owner, to permit in a residence use district, the erection and maintenance of a building to be used as a garage (not accessory to the dwelling on the same lot) and, also, for the storage of bottled beverages; premises 70-20 72nd street, west side, 250 ft. north of Central avenue (Block No. 3663, Lot Nos. 18 and 19), Glendale, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 8, 1939, 2 P. M.

Appeals from Administrative Decisions

1237-39-A—679-723 Court street, southeast corner of Bryant street (Block No. 624, Lot No. 1), Borough of Brooklyn.

1037-39-A—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

Variation of the Labor Law

1233-39-S—422 Fulton street, north side, 93 ft. west of Hoyt street (East Building); (Block No.

156, part of Lot No. 1), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, November 8, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:*

CAL. NO. 737-39-BZ—Application, June 3, 1939, under section 7h of the building zone resolution, of Murray Klein, applicant, on behalf of Hein-Nolan Realty Co., Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-125 Bayard street and 441-463 Manhattan avenue, northwest corner (Block No. 2718, Lot No. 14), Borough of Brooklyn.

CAL. NO. 1024-27-BZ—Application of Herman Kron, applicant, on behalf of La Salle Garage, Inc., owner, reopened October 17, 1939, re amendment of resolution—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 1650-1664 Jerome avenue and 1-9 East 174th street, northeast corner (Block No. 2848, Lot No. 1), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 14, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 14, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 479-39-BZ—Application, April 17, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Board of Transportation, City of

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New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 209 East Houston street, southeast corner of Ludlow street and 167-179 Essex street, west side, 100 ft. south of East Houston street (Block No. 412, Lot No. 53), Borough of Manhattan.

CAL. NO. 539-39-BZ—Application, April 28, 1939, under section 7h of the building zone resolution, of Albert Homer Swanke, applicant, on behalf of Louis H. Pink, Superintendent of Insurance of the State of New York, as Liquidator of the Lawyers Title and Guaranty Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1455-1465 Madison avenue, east side, from East 100th street to East 101st street, 51 East 100th street and 48-50 East 101st street (Block No. 1606, Lot Nos. 20, 21, 24, 49, 50, 51, 52 and 53), Borough of Manhattan.

CAL. NO. 1098-39-BZ—Application, September 1, 1939, under sections 7b and 7c of the building zone resolution, of LeRoy P. Ward, applicant, on behalf of Society of Illustrators, Inc., owner, to permit partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of an existing building to a club and business use; premises 128 East 63rd street, south side, 80 ft. west of Lexington avenue (Block No. 1397, Lot No. 60), Borough of Manhattan.

CAL. NO. 667-39-BZ—Application, May 22, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Louis Kliegman, owner (Theodore Tannor, lessee), to permit in a business use district, the extension of an accessory building located on an existing gasoline service station; premises 928-932 Stone avenue, northwest corner of Linden boulevard (Block No. 3639, Lot No. 1), Borough of Brooklyn.

CAL. NO. 52-16-BZ—Application of John Thatcher and Son, Inc., and Wingate and Cullen, applicants, on behalf of Annie McDonald, owner (William Levine, lessee), reopened June 13, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, a motor vehicle repair shop; said building on same street with public school (permission to erect the building as a garage previously granted by the board); premises 761 Park avenue, north side, 90 ft. east of Rogers ave-

nue (Block No. 1233, Lot No. 81), Borough of Brooklyn.

CAL. NO. 1203-39-BZ—Application, September 29, 1939, under section 7c of the building zone resolution, of Edwin W. Kleinert and A. Stanely Miller, applicants, on behalf of Security Construction Company, owner, to permit the erection of a business building (stores), extending from a business use district into a residence use district; premises 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-01 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens.

Appeal from Administrative Decision

1046-39-A—69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-01 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens (Under Section 35, General City Law re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 14, 1939, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 14, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 77-33-BZ—Application of Martin C. Epstein, applicant, on behalf of Matilda Kessel, Administratrix of Estate of Vincent J. Repaci, owner, reopened October 17, 1939, re extension of permit—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period; premises southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 21, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 21, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 982-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of Chapmald Realty Corporation, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5)

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motor vehicles; premises 406-420 West 55th street, south side, 100 ft. west of Ninth avenue (Block No. 1064, Lot Nos. 37 to 42, inclusive), Borough of Manhattan.

CAL. NO. 1091-39-BZ—Application, September 5, 1939, under sections 7h and 21 of the building zone resolution, of Thomas W. Lamb, Inc., applicant, on behalf of Sixth Avenue and 44th Street Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1120-1136 Sixth avenue, east side, entire block from West 43rd street to West 44th street (Block No. 1259, Lot No. 1), Borough of Manhattan.

CAL. NO. 1138-38-BZ—Application, December 8, 1938, under sections 7e and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Elsie Maresca and Mary Maresca, owners, to permit in a business use district, the conversion of occupancy of a building occupied as auto laundry, stores, battery service and storage for five (5) motor vehicles to auto laundry, grease pits, motor vehicle repair shop and storage for more than five (5) motor vehicles; premises 2637-2645 Webster avenue, west side, 130.60 ft. north of East 194th street (Block No. 3277, Lot No. 41), Borough of The Bronx.

CAL. NO. 68-39-BZ—Application, January 18, 1939, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of B. S. and B. Co., Inc., owner (Thomas Viola, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2963-2965 Webster avenue, west side, 125 ft. north of Bedford Park boulevard (Block No. 3280, Lot No. 58), Borough of The Bronx.

CAL. NO. 1094-39-BZ—Application, August 23, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Sheffield Farms Company, Inc., applicant and owner, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 52-02 Flushing avenue, south side, 106 ft. west of Sophie street and 52-15 Metropolitan avenue (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

CAL. NO. 212-34-BZ—Application of Michael Marlo, applicant, on behalf of Carmelo Oddo, owner (Michael Monterosa, lessee), reopened June 20, 1939, under section 21 of the building zone resolution, to permit in a business use district, the extension

of a gasoline service station; said gasoline station was previously granted by the Board for a temporary period; premises 1709 Neptune avenue and 2760-2770 Cropsey avenue, northwest corner (Block No. 6994, Lot Nos. 97 and 99), Borough of Brooklyn.

CAL. NO. 813-39-BZ—Application, June 19, 1939, under section 21 of the building zone resolution, of Wood and Marshall, applicants, on behalf of Samuel H. Baylis, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 120-43 to 120-45 Farmers boulevard, northeast corner of 121st (Arthur) avenue (Block No. 3362, Lot No. 1), St. Albans, Borough of Queens.

CAL. NO. 1025-39-BZ—Application, August 7, 1939, under section 21 of the building zone resolution, of Frank J. Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 28, 1939, 2 P. M.

Appeals from Administrative Decisions

1041-39-A—Southeast corner of Twiggs place and Fifth street (Block No. 5517, Lot No. 101), Park of Edgewater, Borough of The Bronx (Under Section 35, General City Law re: Bed of Mapped Street).

1288-39-A—Pequot road and 88th street, 851.49 ft. west of west side of 88th street and 617.42 ft. south of Cooper avenue (Block No. 3810, Lot No. 275), Glendale, Borough of Queens (Under Section 36, General City Law).

1314-39-A—North side of North Conduit avenue, between 135th avenue and 150th avenue (Block No. 2317, Lot No. 1, Block No. 2318, Lot No. 1, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens (Under Section 35, General City Law re: Bed of Mapped Street).

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law).

DECEMBER 5, 1939, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 5, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

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CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 30, 1940, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January*

30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 17, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

703-38-BZ.

APPLICANT—Alice M. Johnston, for J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.

APPEARANCES—

For Applicant: A. H. Cashion.

For Opposition: None.

ACTION OF BOARD—Laid over to November 8, 1939 at 10 a.m., for inspection and decision by the board. No further argument.

738-38-BZ.

APPLICANT—Bernard Trencher, for Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station, office, lubricatory, auto laundry and for sale of accessories.

PREMISES AFFECTED—1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: Oscar W. Swift, Abram Shlefstein and Bertram Schleimer.

For Opposition: None.

ACTION OF BOARD—Laid over to January 30, 1940 at 10 a. m. on request of applicant's representative.

585-39-BZ.

APPLICANT—Vincent Schiliro, for Mary Schnappauf, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a building to be used as garage (not accessory to the dwelling on the same lot) and, also, for the storage of bottled beverages.

PREMISES AFFECTED—70-20 72nd street, west side, 250 ft. north of Central avenue (Block No. 3663, Lot Nos. 18 and 19), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Vincent Schiliro.

For Opposition: None.

ACTION OF BOARD—Laid over to November 8, 1939, at 10 a.m. for inspection by committee of board and further discussion.

671-39-BZ.

APPLICANT—Theodore R. Feinberg (Reshen Sons, lessees), for Artborn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Theodore R. Feinberg.

For Opposition: None.

ACTION OF BOARD—Laid over to October 24, 1939, at 10 a.m., applicant to submit amended plans.

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737-39-BZ.

APPLICANT—Murray Klein, for Hein-Nolan Realty Co., Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—91-125 Bayard street and 441-463 Manhattan avenue, northwest corner (Block No. 2718, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Murray Klein.

For Opposition: None.

ACTION OF BOARD—Laid over to November 8, 1939, at 2 p.m., for inspection by a committee of board and further discussion.

440-38-BZ.

APPLICANT—Sydne Schleman, for Hugh P. Skelly, owner (Marcy Rosen and Louis Ackerholt, lessees).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2902-2930 Surf avenue, southwest corner of West 29th street (Block No. 7068, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jess Abramson and Marcy Rosen.

For Opposition: William C. Cain.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(440-38-BZ)

WHEREAS, Sydne Schleman, for Hugh P. Skelly, owner (Marcy Rosen and Louis Ackerholt, lessees), filed June 2, 1938, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 2902-2930 Surf avenue, southwest corner of West 29th street (Block No. 7068, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting October 17, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Surf avenue and Riegelman Boardwalk are in business use districts; West 29th street and West 30th street are in business and residence use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings on Applic. No. 4547-1938, dated May 25, 1938, reads:

"The parking and storage of more than five cars in a business district is contrary to Art. II, par. 4a(15) of the Building Zone Resolution."

and

WHEREAS, the premises, part of a large parcel of property, consist of an irregular shaped plot of ground having a frontage of 65 ft. on Surf avenue and 352 ft. on West 29th street. A portion of the plot fronting on Surf avenue is used for the sale of second hand cars. It is proposed to abandon this use and to use the plot for a temporary period of not more

than two years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under Section 7-h thereof for a temporary period of two years from the date of this resolution, to permit the premises under appeal to be occupied for the storage and parking of more than five (5) motor vehicles, on condition that only motor vehicles of the pleasure-car type shall be so parked or stored; that the premises shall be levelled substantially to the grade of the surrounding streets; that all existing buildings and billboards thereon shall be removed from the site; that no buildings shall be erected, except there may be erected near the entrance to Surf avenue, a building not over 150 square feet in area, not over one-story in height, which may be of frame, to be used as an office and shelter for the attendant; that there shall be erected on the interior lot lines and on the street lines, a substantial fence of the anchor post type not less than 6 feet in height with no openings therein except one to Surf avenue not over 15 feet in width with curb cut opposite of similar width and two exits to West 29th street, one within 20 feet of Surf avenue and one approximately midway between Surf avenue and the Riegelman Boardwalk, but not nearer than 75 feet to the foot of the ramp leading to the boardwalk; that no cars shall be parked or stored within the existing frame building shown on plans as a sundeck; that proper aisles shall be maintained at all times for easy entrance and egress; that during the term of this variance the premises shall be used for no other purpose than herein permitted; that such portable fire-fighting appliances shall be maintained and installed as the Fire Commissioner shall direct; that the plot shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting; that signs shall be restricted to a sign at the entrance, advertising the parking and storage use; that such sign shall not extend beyond the building line and shall not exceed 15 square feet in area; that all permits required shall be obtained and all work completed within six months from the date of this resolution.

178-39-BZ.

APPLICANT—Charles M. Spindler (Colonial Sand and Stone Co., Inc.), lessee, for Buhrman Sand and Gravel Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7f of the building zone resolution, to permit in a residence use district, the operation of a sand and gravel pit.

PREMISES AFFECTED—East side of Douglaston parkway, 951.27 ft. south of 61st avenue (Block No. 8291, Lot No. 1), Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Jacob I. Goodstein.

For Opposition: None.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(178-39-BZ)

WHEREAS, Charles M. Spindler (Colonial Sand and Stone Co., Inc. lessee), for Buhrman Sand and Gravel Corporation,

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owner, filed February 14, 1939, an application under section 7F of the building zone resolution, to permit in a residence use district, the operation of a sand gravel pit; premises: east side of Douglaston parkway, 951.27 ft. south of 61st avenue (Block No. 8291, Lot No. 1), Douglaston, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting October 17, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Douglaston parkway and West Alley road are in a residence use district; and

WHEREAS, the decision of the Borough Superintendent, Application No. 22-1939 dated January 24, 1939 reads:

"2—The proposed installation of the 1080 gallon diesel engine oil tank in conjunction with the business being conducted at premises is contrary to Article 2, Sec. 3, Building Zone Resolution. The Garage use under permit N.B. 186-36 shall be discontinued and building removed, as such continued use is contrary to Article 2, Sec. 3 Building Zone Resolution."

and

WHEREAS, an additional decision of the Borough Superintendent, dated October 17, 1939, on F. P. Applic. No. 22-39, has been incorporated in this application, reading:

"1. The use of premises for the storage of Motor Vehicles, garage and for the purpose of conducting a general business for the removal and selling of sand and the mixing and sale of concrete is contrary to the provisions of Art. 2, Sect. 3 Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of approximately two thousand (2000) feet along Douglaston parkway; a distance of approximately 1450 feet along the northerly lot line and approximately 1590 feet along the easterly lot line—upon which are located several structures consisting of garages for trucks, ships, derricks, etc., used in the operation of the plot as a sand and gravel pit—which use the Board is requested to permit; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision f of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-f thereof for a term of two years, to permit the premises under appeal to be continued for the general purpose of removing sand and gravel and permitting the continuation and use of the existing accessory buildings and oil storage tanks and an additional tank as referred to in the objection of the superintendent of buildings herein appealed from, and to permit the trans-mixing of mortar and concrete, *on condition* that no additional buildings shall be constructed and that the excavating performed within the term of this variance, shall be within the grades indicated on revised plan marked "Received October 17, 1939" and in no event shall the grade exceed a slope of 1 to 2, as indicated on such plan (i.e.—1 foot vertical to two feet horizontal); that around the perimeter of the plot there shall be no excavation for the distance marked in green on said revised plan, namely 30 feet on the north and 40 feet on the east and south, except that at the extreme south, where indicated on the plan, such strips may be 10 feet and 20 feet, as indicated thereon.

279-39-BZ.

APPLICANT—George J. Lobenstein, for Church Lane Realty Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not

more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2228-2238 Church avenue, south side, 213 ft. 8½ in. east of Flatbush avenue (Block No. 5103, Lot Nos. 36, 37, 38, 39, 40 and 137), Borough of Brooklyn.

APPEARANCES—

For Applicant: George J. Lobenstein and Benjamin J. King.

For Opposition: Irving Schwartz and Charles Tilgner.

ACTION OF BOARD—Application withdrawn, after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(279-39-BZ)

WHEREAS, George J. Lobenstein, for Church Lane Realty Corporation, owner, filed March 6, 1939, an application under Section 7H of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 2228-2238 Church avenue, south side, 213 ft. 8½ in. east of Flatbush avenue (Block No. 5103, Lot Nos. 36, 37, 38, 39, 40 and 137), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 17, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Church avenue, Snyder avenue and Flatbush avenue are in business use districts, Bedford avenue and Martense street are in residence and business use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated March 1, 1938, re Application No. 247-39, reads:

"Proposed storage and parking for more than five motor vehicles in a business use district contrary to Art. 2, Sec. 4, Par. 15 of the Building Zone Resolution, therefore, application denied."

and

WHEREAS, the premises consists of a plot of ground having a frontage of 100 ft. 8 in. and a depth of 133 ft. 8 in. It is proposed to occupy the plot for a temporary period of not more than two (2) years for parking and storage of more than (5) motor vehicles; and

WHEREAS, it appeared that there exists a public school on the same street between two intersecting streets, which precluded exercise of discretion by the Board in view of the prohibition in Section 21.

Resolved, that the application be and it hereby is *withdrawn*.

305-39-BZ.

APPLICANT—Giovanni Cuomo, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district and "F" area district, the maintenance of two (2) dwellings not conforming with the setback, side yard, rear yard and, also, occupancy of lot requirements of the building zone resolution.

PREMISES AFFECTED—150-43 to 150-47 114th street east side, 115.47 ft. north of North Conduit avenue (Old South road); (Block No. 2677, Lot No. 13), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: None.

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ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(305-39-BZ)

WHEREAS, Giovanni Cuomo, owner, filed on March 11, 1939, an application under the building zone resolution, to permit in a residence use and "F" area district, the maintenance of two dwellings not conforming with the setback, side yard, rear yard and also occupancy of lot requirements of the building zone resolution; premises: 150-43 to 150-47 114th street, east side, 115.47 ft. north of Conduit avenue (Old South road); (Block No. 2677, Lot No. 13), Ozone Park, Borough of Queens; and

WHEREAS, on October 17, 1939, the time set for public hearing no one appeared on behalf of the application.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

411-39-BZ.

APPLICANT—Lama and Proskauer, for Violet Bazerman, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(411-39-BZ)

WHEREAS, Lama and Proskauer, for Violet Bazerman, owner, filed March 31, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station, affecting premises 2932-2936 Ocean parkway, southwest corner of Sheepshead Bay road (Block No. 7282, Lot Nos. 1 and 4), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 17, 1939, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ocean parkway, Neptune avenue and Sheepshead Bay road are in business use districts; and

WHEREAS, the decision of the acting borough superintendent on Alt. Applic. No. 531-39, dated March 30, 1939, reads:

"1. Extending existing gasoline station in a business zone is contrary to Art. II, Sec. 4a, par. 46 of the Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 150 ft. 2 in. on Sheepshead Bay road, 43 ft. 2 in. on Ocean parkway and a distance of 15 ft. 5 in. along the westerly lot line. Upon the southerly portion of the plot there is located a two-story frame dwelling; upon the northerly portion of the plot there is a gasoline service station. It is proposed to remove the frame

dwelling; to erect upon the site a one-story building 80 ft. by approximately 32 ft., irregular, in area, to be used as auto laundry, lubritorium and office; to relocate the pumps and grease pits and use the entire plot as a gasoline service station; and

WHEREAS, the premises and the surrounding area, were inspected by a committee of the Board prior to the hearing; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision c of the building zone resolution, to permit the extension and reconstruction of the existing gasoline service station.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 7-C thereof, to permit the extension of the existing gasoline service station and the alteration and reconstruction of the accessory building substantially as indicated on revised plans marked "Received October 16, 1939", *on condition* that the accessory building shall be constructed of incombustible materials, except that the roof boarding, roof beams, window frames and sash, door frames and doors may be of wood, provided there are no windows erected or constructed in the lot line walls to the south and west; that the accessory building shall not exceed one story in height and shall be arranged for auto laundry, lubritorium and office, as shown on plans; that any skylights erected in the roof shall be not nearer than 10 feet to the lot line, except for legal ventilation for toilets; that there shall be erected on the interior lot line to the south continuously from accessory building to Ocean parkway, a masonry wall agreeing in construction and material with the accessory building, and not less than 6 feet in height, except that such wall may be not less than 3 ft. 6 in. in height for a distance of 30 feet from Ocean parkway, and faced on both sides with face brick; that the entire plot where not occupied by accessory buildings shall be cement paved, except for planting areas, as shown and except for the area 30 feet from Ocean parkway under the jurisdiction of the Department of Parks; that such 30 ft. area shall be maintained, as the Park Commissioner shall direct and no driveways of crossing shall be permitted, unless specifically permitted by him; that curb cuts shall be restricted to Sheepshead Bay road to one cut not over 50 ft. in width; and not nearer than 15 feet from the westerly building line and to a cut not over 25 feet in width not nearer than 30 feet to the building line of Ocean parkway, unless permitted by the Park Department to be not nearer than 10 feet therefrom; that gasoline pumps erected shall be of the parkway type and shall be not nearer than 12 feet to the building line of Sheepshead Bay road; that planting shall be maintained along the lot line wall to the south and planted areas shall be protected with concrete curbing; that the doors to the lubritorium may be of wood, provided the greasing equipment is of the hydraulic type; that if greasing pits are installed the greasing pits shall be ventilated through the roof by means of ducts with motor driven fan of the sparkproof type; that no parking of cars shall be permitted, except those being serviced and no repairing of automobiles; that complete working drawings and copy of permit obtained from the Park Department shall be filed with this Board for approval by the Chairman in behalf of the Board before plans are filed with the Borough superintendent; that such plans shall be filed within two weeks from the date of this resolution; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

465-39-BZ-WF.

APPLICANT—Lama and Proskauer, for Estate of Sara V. Bolmer, owner (Daniel G. Bolmer, executor).

SUBJECT—Application (re decision of borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a business use and partly in a residence use and "C"

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area district, the erection and maintenance of a parking lot, garage and bus terminal for more than five (5) motor vehicles and, also, the omission of the required rear yard within a "C" area district.

PREMISES AFFECTED—120-24 to 120-50 Queens boulevard, south side 167.45 ft. west of 82nd avenue and 9 Kew Gardens road (Block No. 3358, Lot No. 13), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama, Daniel G. Bolmer, Lawrence Buckner, and Dean G. Edwards.

For Opposition: Harold Klorfein, C. G. Bachrach, Abraham J. Halprin, Jacob Glass, Ralph Norton, Lloyd Espenscherd, L. J. Roverse, M. Stempel, A. W. Wellendahl and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(465-39-BZ-WF)

WHEREAS, Lama and Proskauer, for Daniel G. Bolmer, Executor of the Estate of Sara V. Bolmer, owner, filed April 13, 1939, an application under section 21 of the building zone resolution, to permit partly in a business use and partly in a residence use and "C" area district, the erection and maintenance of a parking lot, garage and bus terminal for more than five (5) motor vehicles and also the omission of the required rear yard within a "C" area district; premises: 120-24 to 120-50 Queens boulevard, south side, 167.45 ft. west of 82nd avenue and 9 Kew Gardens road (Block No. 3358, Lot No. 13), Kew Gardens, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 17, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business use and "C" area district; Kew Gardens road and 82nd avenue are in residence and business use and "C" and "E" area districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated September 20, 1939, re N.B. Application No. 1551-39 reads:

"1. The creation of a commercial parking lot on the above located premises is contrary to sections 5 and 6 of the World's Fair resolution as adopted September 27, 1937.

2. The erection of a parking lot, garage and bus terminal for more than five motor vehicles within a business and residence district is contrary to Article 2, sections 3 and 4 of the zone resolution.

3. The erection of a business building within a residence district is contrary to Article 2, Section 3 of the zone resolution.

4. Provide proper rear yards for residence C and business C district as per zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 322 ft. on Queens boulevard, 25 ft. on Kew Gardens road and a distance of approximately 136 ft. along the westerly lot line. Two irregular shaped areas at the southerly portion of the plot are located in a residence use district, the remainder is in a business use district; it is proposed to remove the structure now on the site and to erect thereon a fireproof, two story and basement structure; having a frontage of 297 ft. on Queens boulevard and a distance of 153 ft. along the westerly lot line, irregular in area. Occupied on the 1st story for eleven (11) stores and for parking more than five motor

vehicles; to be occupied on the basement story for parking more than five motor vehicles, store storage and auto sales and exchange space; on the 2nd story as a bus terminal with entrance from Kew Gardens road. It is proposed also to omit the required 10 ft. rear yard; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent of buildings re N.B. Application No. 1551-39, be and it hereby is affirmed, and that the application be and it hereby is denied.

797-39-BZ.

APPLICANT—Alfred A. Tearle, for Henry Sonn and Co., Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the maintenance of a business use (three stores) in part of the basement story of an existing multiple dwelling.

PREMISES AFFECTED—772-778 St. Nicholas avenue, east side, 200 ft. south of West 150th street and 331 Edgecombe avenue, west side, 259 ft. 10 in. south of West 150th street (Block No. 2053, Lot No. 114), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Tearle, C. W. Widmere and Joseph C. Morris.

For Opposition: M. G. Gould, William P. McGrath, John P. Leo, J. M. Cohen and Harold Klorfein, Department of Parks.

For Administration: Inspector John J. Sammon, Department of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(797-39-BZ)

WHEREAS, Alfred A. Tearle, for Henry Sonn and Co. Inc., owner, filed June 15, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district, the maintenance of a business use (three stores) in part of the basement story of an existing multiple dwelling; premises: 772-778 St. Nicholas avenue, east side, 200 ft. south of West 150th street and 331 Edgecombe avenue, west side, 259 ft. 10 in. south of West 150th street (Block No. 2053, Lot No. 114), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 17, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that St. Nicholas avenue is in a residence and business use district; Edgecombe avenue, West 150th street, West 149th street and Bradhurst avenue are in residence use districts; and

WHEREAS, the decision of the borough superintendent of buildings on Alt. Application No. 1319-39, dated May 22, 1939, reads:

"A2—Business not permitted in a residential district."

and

WHEREAS, the premises consist of a non-fireproof build-

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ing, six stories and cellar in height; with a frontage of 50 ft. on Edgecombe avenue and 110 ft. on St. Nicholas avenue and depth 200 ft. It is proposed to occupy the basement story of the Edgecombe avenue front of the existing multiple dwelling for four (4) stores, three with direct entrance to the street and one with entrance from the court, and

WHEREAS, the premises and area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1319-39, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

Adjourned, 1:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 17, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

134-26-BZ.

APPLICANT—Henry Nordheim, for Rachel Kantrowitz and Louis Kantrowitz, owners.

SUBJECT—Application for consideration—reopening and rehearing on new proposal re (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of 1st story from residence use to business use (previously denied).

PREMISES AFFECTED—871 East 175th street, north side, 51.1 ft. east of Mohegan avenue (Block No. 2958, Lot No. 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Louis Kantrowitz.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

1024-27-BZ.

APPLICANT—Herman Kron, for LaSalle Garage, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment re application (decision of the superintendent of buildings) under sections 7g and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1650-1664 Jerome avenue and 1-9 East 174th street, northeast corner (Block No. 2848, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and set for hearing November 8, 1939 at 2 p.m.

THE VOTE TO REOPEN AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

77-33-BZ.

APPLICANT—Martin C. Epstein, for Matilda Kessel, Administratrix of Estate of Vincent J. Rapaci, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

APPEARANCES—

For Applicant: Martin C. Epstein.

ACTION OF BOARD—Application reopened and set for hearing November 14, 1939 at 2 p.m.

THE VOTE TO REOPEN AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

763-38-BZ.

APPLICANT—Herman Kron, for New York Telephone Company, owner.

SUBJECT—Application for consideration—reopening and rehearing under new proposal (decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied).

PREMISES AFFECTED—728-744 Second avenue, east side, 24.8 ft. south of East 40th street and 303 East 39th street (Block No. 945, Lot Nos. 1, 4 and 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron, Bernard F. Stern and Philip Adelman.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

79-35-BZ.

APPLICANT—Stein and Wiener, for Patrick Filomino, for Filomino Building Corporation, owner.

SUBJECT—Application reopened September 19, 1939 re extension of permit—re application (decision of the commissioner of buildings), previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the change of occupancy of part of an existing building to a motor vehicle repair shop for a temporary period.

PREMISES AFFECTED—3223 Laconia avenue, west side, 81.41 ft. north of Boston road (Block No. 4613, Lot No. 54), Borough of The Bronx.

APPEARANCES—

For Applicant: Hyman Wiener.

For Opposition: None.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

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THE RESOLUTION—

(79-35-BZ)

WHEREAS, this application affecting premises 3223 Laconia avenue, west side 81.41 ft. north of Boston road (Block No. 4613, Lot No. 54), Borough of The Bronx, was granted by the board July 16, 1935, on certain conditions, permit extended July 7, 1937 and applicant requested a further extension of the temporary permit; and

WHEREAS, this application was reopened by vote of the board September 19, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 17, 1939, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, applicant stated that no violations were outstanding against the use of the building and lot under appeal or against adjoining lots under same ownership.

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted on July 16, 1935 as amended July 7, 1937, only so far as it refers to period of permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 21 for a temporary period of two years from the date of this amended resolution, permitting the premises to be used for limited motor vehicle repairing, on condition that the building shall not be increased in height or area; that no signs advertising motor vehicle repairing shall be displayed; that the repairing shall be restricted to cars taken in by this owner for resale; that the ceiling shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the repair work shall be limited to use of manual tools and to machines requiring motor power not exceeding ¼ h.p."

364-36-BZ.

APPLICANT—Thomas H. Simmons, for Joseph Wellner, lessee, for Edbro Realty Co., Inc., owner.

SUBJECT—Application reopened September 19, 1939 re extension of permit—re application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—31-64 to 31-86 31st street, west side, 100 ft. north of Broadway (Block No. 589, part of Lot No. 9), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Thomas H. Simmons.

For Opposition: None.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(364-36-BZ)

WHEREAS, Joseph V. McKee, for Adbro Realty Co., Inc., owner, filed November 30, 1936, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 31-64 to 31-86 31st street, west side of 31st street, 100 ft. north of Broadway (Block No. 589, part of Lot No. 9), Astoria, Borough of Queens; and

WHEREAS, this application was granted by the board July 16, 1937, on certain conditions for a temporary period of two years and applicant requested an extension of this period; and

WHEREAS, this application was reopened by vote of the

board, September 19, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, October 17, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of July 16, 1937, only so far as it has reference to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under Section 7-H for a period of two (2) years, from the date of this amended resolution, to permit the premises within the business use area along 31st street to be used for parking and storage of more than five (5) motor vehicles, on condition that there shall be erected on a line separating the use areas 100 ft. back from 31st street and parallel thereto, a substantial wooden or woven wire fence 6 ft. high to preclude the extension of parking or storage into the residential area; that the entire plot within the business use area shall be levelled approximately to the grade of 31st street, and covered with steam cinders or other suitable material, properly bound, to prevent dusting; that there shall be erected on interior lot lines and on street building line, where existing substantial fences or walls do not occur, woven-wire fences not less than 6 ft. in height, except for entrance to 31st street, which shall not exceed the existing entrance and curb cut—12 ft. in width; that no cars shall be stored or parked except automobiles of the pleasure-car type and which are capable of operation; that proper aisles shall be maintained at all times for easy entrance and exit; that during the time of this variance, no buildings shall be erected on the plot, other than one-story building not exceeding 10 ft. square, as a shelter and office for the attendant, and that no other use shall be made of the premises than that permitted herein; that such portable fire-fighting equipment shall be maintained on the site as the Commissioner shall direct; that lights for general illumination shall be on post standards with metal deflectors so arranged as to reflect downwardly and away from the adjoining residential occupancies; that there shall be no advertising on the plot other than a neat sign at the entrance advertising the parking use; and that all permits shall be obtained and all work shall be completed within one month from the date of this amended resolution."

737-28-BZ.

APPLICANT—Samuels and Samuels, for Frank Mosner, Jr., and Frank Benes, owners.

SUBJECT—Application for consideration—reopening and extension of permit re application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles (previously denied for a garage).

PREMISES AFFECTED—28-09 31st street, southeast corner of 28th avenue (Block No. 619, Lot Nos. 45-50 inclusive), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

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THE RESOLUTION—

(737-28-BZ)

WHEREAS, this application affecting premises 28-09 31st street, southeast corner of 28th avenue (Block No. 619, Lot Nos. 45, 46, 47, 48, 49 and 50), Astoria, Borough of Queens, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles, was denied by the board June 9, 1931; and

WHEREAS, Lee Sandridge, for the present owners, Frank Mosner, Jr. and Frank Benes, requested a reopening of the application, to permit in a business use district the parking of more than five motor vehicles; and

WHEREAS, this application was granted by the Board September 22, 1937, under certain conditions for a temporary period of two years and applicant requested an extension of the period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of September 22, 1937, only so far as it refers to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7 (h) for a period of two years from the date of this *amended resolution*, to permit the premises under appeal to be used for the parking and storage of more than five motor vehicles, *on condition* that only pleasure cars capable of operation shall be stored or parked; that there shall be erected on the street building lines, a substantial woven wire fence not less than 6 ft. in height, with not more than two entrances, one from 28th avenue and one from 28th road; that a driveway lane shall be maintained at all times for ready entrance and exit; that during the pendency of this variance, the premises shall be used for no other purpose other than herein permitted and there shall be no buildings erected on the plot except a small building not over 10 ft. by 10 ft. and one story in height, as an office for the attendant; that the curb cuts on 28th avenue and 28th road shall not exceed 20 ft. in width; that the ground shall be leveled and covered with steam cinders properly rolled and bound to prevent dusting; that no advertising shall be displayed except a small sign at the entrance advertising the parking and storage use; that all permits shall be obtained and all work completed within three months from the date of this *amended resolution*."

507-37-BZ.

APPLICANT—John J. Beatty, for Tilyou Realty Company, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district for a temporary period of not more than two (2) years the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1621-1627 Surf avenue and 2927-2947 West 17th street, northeast corner (Block No. 7062, Lot No. 34 and part of Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Beatty.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(507-37-BZ)

WHEREAS, John J. Beatty, for Tilyou Realty Company, owner, filed October 26, 1937, an application under the building zone resolution to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 1621-1627 Surf avenue and 2927-2947 West 17th street, northeast corner (Block No. 7062, Lot No. 34 and part of Lot No. 38), Borough of Brooklyn; and

WHEREAS, this application was granted by the board March 1, 1938, on certain conditions, resolution amended April 12, 1938 and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted March 1, 1938, as amended by resolution of April 12, 1938, only so far as it refers to the clause pertaining to the obtaining of permits and completion of the work, so that as amended that portion of the resolution shall read:

"That in view of statement by applicant that plans have been approved, that all permits shall be obtained and all work completed within one month from the date of this amended resolution."

523-38-BZ.

APPLICANT—Sidney L. Strauss, for George Ehret Properties, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, permitting partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—23-22 to 23-30 31st street, north side, 100 ft. east of 23rd road (Block No. 842, Lot No. 80), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Commissioners Savage and Blum and Assistant Chief Walsh	3
Negative: Chairman Murdock.....	1
Absent	0

THE RESOLUTION—

(523-38-BZ)

WHEREAS, Sidney L. Strauss, for George Ehret Properties, Inc., owner, filed June 21, 1938, an application under sections 7h and 21 of the building zone resolution, to permit partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, affecting premises 23-22 to 23-30 31st street, north side, 100 ft. east of 23rd road (Block No. 842, Lot No. 80), Long Island City, Borough of Queens; and

WHEREAS, this application was granted by the board May 31, 1939, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of May 31, 1939, only so far as it refers to obtaining permits and completion of the work, so that as amended this portion of the resolution shall read:

"That in view of statement by applicant that the permits have been obtained and that all work has been completed except the removal of the brick building on the site, that all work shall be completed

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within six months from the date of this amended resolution."

582-38-BZ.

APPLICANT—Charles H. Pfaff, for Justine Schwab, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution and approval of plans—re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Charles H. Pfaff.

ACTION OF BOARD—Application reopened, resolution amended, and plans approved.

THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(582-38-BZ)

WHEREAS, Charles H. Pfaff, for Justine Schwab, owner, filed July 8, 1938, an application under the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station; premises: 222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner Sabre street (Block No. 7967, part of Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens; and

WHEREAS, this application was granted by the board October 18, 1938, on certain conditions, time to obtain permits and complete the work extended April 18, 1939, and applicant requested an amendment to the resolution and approval of plans.

Resolved, that the resolution adopted by the board on October 18, 1938, as amended by resolution adopted April 18, 1939, be and it hereby is further amended, by adding thereto:

"that plans showing the size and construction of the accessory building and the arrangement of the gasoline service station, as submitted for approval in accordance with the terms of this resolution on June 28, 1939 and stamped approved by the chairman in behalf of the board as of July 10, 1939, are hereby approved as in accordance with the requirements of this resolution; that all permits shall be obtained and all work completed within six months from the date of this amended resolution; and that the resolution be further amended by eliminating from the resolution the following clause: 'that any permit necessary shall be obtained from the city prior to the destruction of the present garage', in view of the demolition of the garage by the W.P.A."

770-38-BZ.

APPLICANT—Minnie Zagarino, owner.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district, the extension and reconstruction of a gasoline service station (previously granted by the board).

PREMISES AFFECTED—109-61 to 109-73 Van Wyck boulevard and 109-118 to 109-130 Lincoln avenue,

northeast corner (Block No. 10066, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Patrick Zagarino.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(770-38-BZ)

WHEREAS, Samuels and Samuels, for Minnie Zagarino, owner, filed August 29, 1938, an application under the building zone resolution, to permit in a business use district, the extension and reconstruction of a gasoline service station (previously granted by the board); premises: 109-61 to 109-73 Van Wyck boulevard and 109-118 to 109-130 Lincoln avenue, northeast corner (Block No. 10066, Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the board March 14, 1939, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of March 14, 1939, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, under section 21 and section 7, subdivision c, to permit the rearrangement and extension of the existing gasoline service station, substantially as indicated on revised plans showing plot layout, marked 'Received February 14, 1939', and as to general arrangement of accessory building and walls on the northerly lot line, as indicated on plans marked 'Received March 13, 1939', on condition that the entire plot shall be levelled substantially to the grade of the adjoining streets; that there shall be a wall constructed along the northerly lot line where the wall of the accessory building does not occur, for a height of not less than 4 ft. to the building line of Van Wyck boulevard; that the entire area, where not covered by accessory buildings, walls and planting, shall be paved with new cement paving; that street curbs shall be erected on Van Wyck boulevard and Lincoln avenue and sidewalks constructed surrounding the premises on such streets; that the entrances shall be restricted to two, to Van Wyck boulevard and two to Lincoln avenue, no entrance to exceed 25 ft. in width with curb cuts opposite of similar width; that no curb cut shall be nearer the northerly lot line on Van Wyck boulevard, than 15 ft. and not nearer the intersection of Van Wyck boulevard and Lincoln avenue, than 10 ft.; that there shall be no entrance to the premises at the intersection of Van Wyck boulevard and Lincoln avenue; that planted areas shall be maintained substantially as indicated on plans marked 'Received February 14, 1939' and that such area shall be protected with concrete curbs not less than 6 in. in width and 6 in. in height; that gasoline pumps erected on the premises shall not be nearer than 15 ft. to the building line of either street and shall be of the design as approved by the park department for parkways; that during the term of this variance, the premises shall be used for no other use, than as herein permitted; that no automobile repairing shall be carried on on the premises and no parking of cars other than those being serviced; that the accessory building shall be constructed of masonry on either stone or brick; that the roof shall be surfaced with natural slate; that there shall be no windows

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opening on the interior lot lines; that the accessory building shall be constructed of new fireproof materials, except that the door frames and doors, window frames and sash may be of wood; that closure doors may be constructed on the greasing section, provided hydraulic type of greasing lifts are installed; that any heating boiler installed in the building shall be within a fireproof enclosed room separated from the balance of the building by fireproof construction and enterable only from the exterior, unless a unit heater, as approved by the Board of Standards and Appeals for such use, is installed; that signs shall be restricted to a permanent sign attached to the facade of the accessory building, excluding all wall and roof signs and all temporary signs, but permitting the erection of not over three (3) post standards within the building line for advertising solely the brand of gasoline on sale and permitting such signs, which may be illuminated, to extend beyond the building line for a distance of not over 4 ft.; that at the intersection of Van Wyck boulevard and Lincoln avenue, the planting areas shall be extended across the entire distance between the two streets; that complete working drawings shall be submitted for the approval of the chairman on behalf of the board, before same are filed with the borough superintendent of buildings; that such plans shall be submitted within one month from the date of this *amended* resolution and that after approval, all work shall be completed within one (1) year therefrom.

Resolved further, that in the event the owner desires to install an additional gasoline storage tank, making a total of five, such additional tank may be permitted."

APPEALS FROM ADMINISTRATIVE DECISIONS

1037-39-A.

APPLICANT—The Korfund Company, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: S. Rosenzweig.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to November 8, 1939, at 2 p.m., for inspection by a committee of the board.

1058-39-A.

APPLICANT—Lomis Realty Corporation, owner (First Avenue Bathing Corporation, lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—24 First avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Milton G. Tunick and Edward Gordon.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to October 24, 1939, at 2 p.m., for further consideration by the board.

1111-39-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer for Alfred Rader, Acting Borough Superintendent, for Department of Housing and Buildings, Borough of Brooklyn.

OWNER OF PREMISES—William Crystal and Anna Crystal (Samuel Budoff, lessee).

SUBJECT—Application for the revocation of certificate of occupancy No. 66349 and permit No. 11430-31.

PREMISES AFFECTED—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Owner: Harvey L. Strelzer.

ACTION OF BOARD—Laid over to October 24, 1939 at 2 p.m., pending decision of court.

993-39-A.

APPLICANT—Arthur Fahr, for Mildred Hillenbrand, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—135-02 62nd avenue, south side, 260 ft. west of 136th street (Block No. 6389, Lot No. 1), Flushing, Borough of Queens (under Section 35, General City Law: Bed of Mapped Street).

APPEARANCES—

For Applicant: Nathan Heller.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

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0

0

THE RESOLUTION—

(993-39-A)

WHEREAS, Arthur Fahr, for Mildred Hillenbrand, owner, filed on July 24, 1939, an application for the approval of the erection of a building in the bed of a mapped street; premises, 135-02 62nd avenue, south side, 260 ft. west of West 136th street (Block No. 6389, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent of Buildings, on N. B. Applic. 5557-39 dated July 17, 1939, reads:

"According to the Topographical Bureau this building is located in street area. Obtain approval of the Board of Standards and Appeals."

and

WHEREAS, it is proposed to erect a one-story frame one-family dwelling, 21 ft. in height, 25 ft. by 41 ft. 6 in. in area on a plot 43.64 ft. by 100.37 ft. in area; located in the bed of a mapped street (135th street); and

WHEREAS, the applicant contends that this plot was purchased by the present owner May 15, 1939 without searching title; that the plot was purchased expressly for the erection of the building in question; that there are six other buildings now existing in the bed of this street, three of which were constructed after the approval of the final map on January 29, 1925; that Foundation Permit was granted by the Building Department July 11, 1939; that application thereafter was made for a building loan mortgage; that said application for loan was approved and a contract for the erection of the building entered into, that the foundation was constructed and first tier of beams laid before the Building Dept. stopped the work; that if the street is opened six houses will have to be demolished; and

WHEREAS, the engineer in charge of the Topographical Bureau has advised the Board that as 135th street as proposed would have no boroughwide significance, cost would have to be locally assessed and under the circumstances, it would be impossible to get a petition for acquisition signed and that it would be impractical to open the street; and

WHEREAS, notice of hearing has been duly published in the local newspaper as well as in the Bulletin of the Board.

Resolved, that the decision of the Borough Superintendent acting on N. B. Applic. 5557-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the power given to the Board under Section 35 of

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the General City Law *on condition* that in all other respects the building complies with the requirements of all laws, rules and regulations applicable thereto for a building erected in an area zoned for residential uses outside the fire limits and shall comply in all other respects with the zoning regulations of the adjoining plot to the east.

1083-39-A-WF.

APPLICANT—Benjamin M. Kornreich, for Jules S. Cohen, owner (Forest Hills Delicatessen and Tavern Co., Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—113-30 Queens boulevard, northwest corner of 76th road (Block No. 3340, Lot No. 2), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Benjamin M. Kornreich and Isadore Mass.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1083-39-A-WF)

WHEREAS, Benjamin M. Kornreich, for Jules S. Cohen, owner (Forest Hills Delicatessen and Tavern Co., Inc., lessee), filed August 29, 1939, an application for approval of the use of premises 113-30 Queens boulevard, northwest corner of 76th road (Block No. 3340, Lot No. 2), Forest Hills, Borough of Queens, as a restaurant and cabaret within the World's Fair area; and

WHEREAS, the decision of the borough superintendent of buildings, on B.N. Applic. No. 100-39, dated August 11, 1939, reads:

"1. Proposed use of premises for cabaret, restaurant and dance hall must be submitted to the Board of Standards and Appeals for approval. Sec. 8 of the World's Fair Resolution."

and

WHEREAS, the building is one story (15 ft.) in height, 23 ft. 6 in. by 74 ft. in area, of Class 3 construction, located in a business use district, erected in 1938 and occupied as a restaurant, bar and grill; proposed occupancy: restaurant, bar, grill and cabaret—60 persons; and

WHEREAS, the applicant contends that the business conducted on the premises is running at a loss by reason of the fact that the location requires the operation of a cabaret in conjunction with the present business; that the location is on the fringe of the Worlds Fair district; that the proposed use will have no ill effect on the World's Fair and will benefit the business of the applicant.

Resolved, that the decision of the Borough Superintendent acting on B. N. Applic. No. 100-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that no sign shall be erected on the roof of the building or on the side of the building facing toward the World's Fair grounds other than those signs now existing; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1202-39-A.

APPLICANT—James McKenna, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—349 Stanley avenue, north side, 91.08 ft. east of Brighton avenue (Block No. 124, Lot No. 30), New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: None.

For Administration: H. Stenberg, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1202-39-A)

WHEREAS, James McKenna, owner, filed September 29, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 349 Stanley avenue, north side, 91.08 ft. east of Brighton avenue (Block No. 124, Lot No. 30), New Brighton, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 232-39, dated September 29, 1939, reads:

"1. Contrary to Sec. C26-248.0, subdiv. 1 (a) (1), Sec. C26-250, subdiv. C, to extend a frame dwelling to within 2 ft. of a lot line (there being 4 ft. or more on opposite side of the building).

2. The wall between house and garage should have 4 in. brick veneer on garage side (Sec. C26-665.0 and departmental interpretation of same)."

and

WHEREAS, the building is 2½ stories (26 ft.) in height, 26 ft. by 27 ft. in area, of frame construction, erected in 1926, on a lot 40.34 ft. by 107.18 ft. in area, located in a residence use district, occupied as a one-family dwelling; and

WHEREAS, it is proposed to erect a one story frame extension with brick filled walls and fire-retarded on the interior with metal lath and ¾ inch of Portland cement mortar, the extension to be used as a one car private garage; the nearest building to the east is 18 ft. and to the west more than 30 ft.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 232-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the construction as proposed shall be carried out and that in all other respects all laws, rules and regulations applicable thereto shall be complied with.

1207-39-A.

APPLICANT—William J. Minogue, for Henry C. Carpenter and Elizabeth C. Meeker, owners (Joseph Costa, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—73 Vesey street, south side, 34 ft. 8 in. west of Greenwich street (Block No. 83, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant: William J. Minogue and Joseph Costa.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1207-39-A)

WHEREAS, William J. Minogue, for Henry C. Carpenter and Elizabeth C. Meeker, owners (Joseph Costa, lessee), filed October 2, 1939, an appeal from a decision of the

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borough superintendent of buildings affecting premises 73 Vesey street, south side, 34 ft. 8 in. west of Greenwich street (Block No. 83, Lot No. 12), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on Alteration Application 2852-39 dated September 18, 1939, reads:

"7. Marquees may be erected only in connection with entrances to structures of an essentially public nature."

and

WHEREAS, the building will be 5 stories and pent house (55 ft.) in height, 20 ft. 5 in. by 37 ft. 6 in. in area of Class 3 construction, located in an unrestricted use district and occupied, cellar storage, first floor, florist store, 15 persons; 2nd, 3rd, 4th and 5th floors, showrooms; 2 persons each floor; pent house and greenhouse, 2 persons; and

WHEREAS, the applicant contends that specific exemption for market streets were made by the Board of Estimate, thus showing the need for marquees in front of markets, to protect produce, in this case flowers, in inclement weather and that this building is located in a market area.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 2852-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the marquee shall meet all requirements of the Administrative Building Code therefor and that no sign shall be erected thereon, except one stating the name of the occupant, not exceeding 10 sq. ft. in area.

1215-39-A.

APPLICANT—W. T. Grant Company, lessee (W. W. McLellan Stores Co., owner).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1535-1541 Third avenue, east side, 78 ft. north of East 86th street (Block No. 1532, Lot No. 4), Borough of Manhattan.

APPEARANCES—

For Applicant: P. A. Cunnius.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1215-39-A)

WHEREAS, W. T. Grant Company (lessee), for W. W. McLellan Stores Co., owner, filed October 4, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 1535-1541 Third avenue, east side, 78 ft. north of East 86th street (Block No. 1532, Lot No. 4), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 2406-39, dated September 26, 1939, reads:

"8. Center stairway should be maintained as originally approved. Reconsideration denied."

and

WHEREAS, the building is two stories (36 ft.) in height, 78 ft. by 100 ft. in area, of Class 3 construction, located in a business use district, erected in 1929 and occupied: Cellar—store and storage—75 persons; 1st floor—store—200 persons; 2nd floor—office and storage—45 persons; proposed occupancy: Cellar—store—94 persons; 1st floor—store—200 persons; 2nd floor—storage and rest room—5 persons; and

WHEREAS, the applicant contends that there will be two exits from the basement consisting of two fire towers connected by a fireproof passageway at basement level;

that no part of the basement will be more than 100 ft. from an exit; that in addition a 7½ ft. wide stairway is proposed in the southwest corner of the basement in lieu of the center stairway which it is proposed to remove, in order to make available this portion of the floor area for sales space; that the existing exits are adequate.

Resolved, that the decision of the acting borough superintendent, on Alt. Applic. No. 2406-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the erection of a service stair toward the southerly wall, as indicated on plans filed with this appeal, in place of the existing service stair located toward the center of the space, *on condition* that the two required means of exit from the basement, as shown on plans, shall be maintained and granted only so long as the occupancy as proposed remains substantially unchanged.

1218-39-A.

APPLICANT—H. G. Vogel Company, for James R. Howe, Jr., owner (S. S. Kresge Company, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—164-01 to 164-07 Jamaica avenue and 71-89 164th street, northeast corner (Block No. 866, Lot Nos. 20 to 23), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: E. L. Gleason.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1218-39-A)

WHEREAS, H. G. Vogel Company, for James R. Howe, Jr., owner (S. S. Kresge Company, lessee), filed October 5, 1939, an appeal from an order and decision of the Fire Commissioner affecting premises 164-01 to 164-07 Jamaica avenue and 71-89 164th street, northeast corner (Block No. 866, Lot Nos. 20 to 23), Jamaica, Borough of Queens; and

WHEREAS, Order No. 3039-LF, issued by the Fire Commissioner August 4, 1939, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers throughout building having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 16, of the Administrative Code of the City of New York."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 6, 1939; and

WHEREAS, the building is 2 stories (28 ft.) in height, 80 ft. by 111 ft. in area at first floor and 40 ft. by 100 ft. in area above, of non-fireproof construction, located in a business district, erected in 1912 and occupied: Cellar, storage, 3 persons; 1st floor, salesroom, 40 persons; 2nd floor, office and rest room and storage, 7 persons; and

WHEREAS, applicant contends that it is proposed to install a sprinkler system throughout the basement and 2nd floor, connected to the house water supply; that two siamese connections will be installed.

Resolved, that the order of the fire commissioner, No. 3039-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar and 2nd story, an automatic sprinkler system complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that all horizontal lines may be close to the ceiling in the cellar with proper pitch and 1¼ inch drain and heads pendant and that the system may be connected with the domestic water supply of the building, provided the water service line from the street is not less

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than 2 inches in diameter and that in all other respects the sprinkler system shall comply with the requirements, and *granted* only so long as the present occupancy throughout the building remains substantially unchanged.

1221-39-A.

APPLICANT—Elmer H. Paull, for Samuel Awad, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—9413-9423 Shore road, northeast corner of Ridge boulevard (Block No. 6111, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ernest Alciandi.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1221-39-A)

WHEREAS, Elmer H. Paull, for Samuel Awad, owner, filed on October 5, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 9413-9423 Shore road, northeast corner Ridge boulevard (Block No. 6111, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated July 11, 1939, re Applic. No. 2538-39, reads:

"In reference to removal of frame bldg. to another location as described—Contrary to Code. Section 4.1.7." and

WHEREAS, it is proposed to demolish the existing frame building now located on the site and to move the existing two story and attic frame building, brick veneered at 1st story, from premises 9215 Shore road to the premises involved in this appeal; and

WHEREAS, the building will be 2½ stories (31 ft.) in height, 52 ft. 2 in. by 38 ft. 4 in. in area at 1st floor and 52 ft. 2 in. by 30 ft. in area above, to be located on a plot 100 ft. by 118 ft. irregular in area, in a residence use "C" area district and to be occupied as a one-family dwelling. The present garage now located on the northeast corner of the plot will remain; and

WHEREAS, the applicant contends that the present and the new locations of the building in question are within the fire limits; that the building will replace a frame building which was erected in 1902 and be of lesser area than the present building; that the roof will be surfaced with cement tile and the exterior of the building will be surfaced with stucco, above the 1st story brick veneer; that the lot adjoining to the north is owned by the same owner.

Resolved, that the decision of the borough superintendent, on Applic. No. 2538-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the removal of the frame dwelling, as proposed, *on condition* that the approval of the Commissioner of Parks shall be obtained as to the moving of the structure along Shore road.

1222-39-A.

APPLICANT—Ernest L. Pruden, for August Schierlok, owner (F. W. Woolworth Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—3466 Jerome avenue, east side, 228.35 ft. south of East Gun Hill road (Block No. 3327-A, Lot No. 100), Borough of The Bronx.

APPEARANCES—

For Applicant: Ernest L. Pruden and Joseph Hughes.

For Administration: Inspector Maher, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1222-39-A)

WHEREAS, Ernest L. Pruden, for August Schierlok, owner (F. W. Woolworth Co., lessee), filed October 5, 1939, an appeal from an order and a decision of the fire commissioner affecting premises 3466 Jerome avenue, east side, 228.35 ft. south of East Gun Hill road (Block No. 3327-A, Lot No. 100), Borough of The Bronx; and

WHEREAS, Order No. 1897-LF, issued by the fire commissioner, August 10, 1939, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated October 4, 1939; and

WHEREAS, the building is one story and cellar (14 ft.) in height, 44 ft. by 99 ft. in area, of Class 3 construction, located in a business use district, erected in 1931 and occupied: Cellar, storage; first floor—stores; 15 persons; and

WHEREAS, the applicant contends that the cellar is used only for the storage of regular 5 and 10 cent merchandise; that there is a sidewalk elevator at the front of the building and a stairway enclosed in fire-proof partition leading from the 1st floor to the cellar; that adequate aisle space is provided throughout, thereby permitting easy access to any portion of this area; that the cellar ceiling is fire retarded with ½ inch plaster boards and that all partitions are fireproof.

Resolved, that the order of the fire commissioner, No. 1897-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25% in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet; that all heads shall be under fire department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 inches above the sidewalk and that the cap of this hose inlet and sign stating area covered, shall be painted aluminum.

1234-39-A.

APPLICANT—Charles A. Hart, for Queensboro Bridge Railway Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—19-80 Steinway street, northwest corner of 20th avenue (Block No. 811, part of Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Charles A. Hart and Victor McQuiston.

For Administration: Joseph Ferro, Department of Housing and Buildings.

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ACTION OF BOARD—Appeal granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1234-39-A)

WHEREAS, Charles A. Hart, for Queensboro Bridge Railway Co., Inc., owner, filed October 6, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 19-80 Steinway street, northwest corner of 20th avenue (Block No. 811, part of Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings dated September 22, 1939, re Application No. 7146-1939, reads:

"5. A gasoline storage tank having a capacity in excess of 550 gallons is contrary to the provisions of C19-69.0 Adm. Code."

and

WHEREAS, the proposed building will be one story (30 ft.) in height, 47 ft. by 110 ft. 4 in. in area, of Class 3 construction, located in an unrestricted use district and occupied as a repair shop, garage, office and for the storage of mechanical equipment; and

WHEREAS, the applicant contends that the proposed building will not be operated as a public garage, but will be occupied by one tenant, operating approximately 40 buses under franchise from the city, that the use of one large 2,000 gallon gasoline tank instead of four 550 gallon tanks is necessary to minimize the possibility of leakage and possible shortage of gasoline.

Resolved, that the decision of the Borough Superintendent as to Applic. 7146-39, Objection No. 5, be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the storage of a 2,000 gallon gasoline tank, *on condition* that the construction of the tank shall comply with the requirements for a tank of similar capacity as provided in the Oil Burner Rules of the Board of Standards and Appeals; that in all other respects the building and occupancy shall comply with all laws, rules and regulations and that the installation shall comply in all other respects with the requirements of the Administrative Code therefor.

1235-39-A.

APPLICANT—Lama and Proskauer, for Regis Holding Corporation, owner (Bay Ridge Roller Skating Rink, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—641-669 62nd street, north side, 120 ft. west of Seventh avenue (Block No. 5793, Lot No. 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Joseph Seifert and Carl Carlsen.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1235-39-A)

WHEREAS, Lama and Proskauer, for Regis Holding Corporation, owner (Bay Ridge Roller Skating Rink, lessee), filed on October 6, 1939, an appeal from a decision of the borough superintendent of buildings, affecting

premises 641-669 62nd street, north side, 120 ft. west of Seventh avenue (Block No. 5793, Lot No. 52), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated October 5, 1939, re Alt. Applic. No. 4232-39, reads:

"1. Proposed change of occupancy of garage building to roller skating rink and sports arena not permitted in nonfireproof building of given area. Secs. 2.1.3.5 (Sec. C26-185.0) and Sec. 4.2.1 (C26-254.0), Building Code."

and

WHEREAS, the building is one story (18 ft. 6 in.) in height, 240 ft. by 100 ft., on a lot 240 ft. by 118 ft. in area, of Class 3 construction, erected in 1927, located in an unrestricted use district and occupied as a public garage and repair shop; proposed occupancy: roller skating rink and sports arena; and

WHEREAS, the applicant contends that the ceiling is fire-retarded with plaster boards and metal; that the building is equipped with a standpipe system and that adequate exits will be provided.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 4232-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the occupancy of the building as proposed, as a skating rink and sports arena, *on condition* that the ceiling throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the existing standpipe systems shall be maintained; that the windows on the rear walls shall be bricked up; that in all other respects, the building shall comply with all laws, rules and regulations applicable to the building and occupancy and that exits shall be provided both to the street and rear yard and evidence shall be presented to the borough superintendent of buildings that a getaway in an emergency from the rear yard across the adjoining properties is available; that the building shall not be increased in height or area, except that a new boiler room may be constructed, where shown, provided the boiler room enclosure is constructed of fireproof material and enterable only from the exterior; that such additional portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that this modification shall continue only so long as the building is used as proposed.

1266-39-A.

APPLICANT—Albert Kaufman, for Sunnyside Construction Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—41-11 40th street, southeast corner of Skillman avenue (Block No. 185, part of Lot No. 17), Sunnyside, Borough of Queens.

APPEARANCES—

For Applicant: Albert Kaufman.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1266-39-A)

WHEREAS, Albert Kaufman, for Sunnyside Construction Corporation, owner, filed October 16, 1939, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises 41-11 40th street, southeast corner of Skillman avenue (Block No. 185, part of Lot No. 17), Sunnyside, Borough of Queens, and

WHEREAS, a decision of the Borough Superintendent on N. B. Application 6535-39 dated October 13, 1939, reads:

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"The installation of Reynolds Ecod Plain Flameproof Lath and the omission of perforations on (horizontal) V-rib steel of lath on entire building lathed without interruption in advance of scratch coat, is contrary to Sec. 8.4.10.2 of the Building Code."

and

WHEREAS, the proposed building will be 6 stories (63 ft.) in height, 181 ft. by 90 ft. in area of Class 3 construction located in a residence use district; occupied throughout as a Class A Multiple Dwelling; and

WHEREAS, the applicant contends that it is proposed to use Reynolds Ecod Plain Flameproof lath, omitting the perforations on the horizontal V-ribs, and to lath continuously without waiting for the application of plaster.

Resolved, that the decision of the Borough Superintendent be and it hereby is modified as to N. B. Application No. 6535-39 and that the appeal be and it hereby is *granted on condition* that the lath shall comply with the requirements of the Board as set forth under Cal. No. 714-38-SM, as corrected and printed in the Bulletin of the Board of September 26, 1939, when such lath is used in connection with a one-hour partition.

1267-39-A.

APPLICANT—Albert Kaufman, for Sunnyside Construction Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—41-12 41st street, southwest corner of Skillman avenue (Block No. 185, part of Lot No. 17), Sunnyside, Borough of Queens.

APPEARANCES—

For Applicant: Albert Kaufman.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1267-39-A)

WHEREAS, Albert Kaufman, for Sunnyside Construction Corporation, owner, filed October 16, 1939, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises 41-12 41st street, southwest corner of Skillman avenue (Block No. 185, part of Lot No. 17), Sunnyside, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on N. B. Application 5982-39 dated October 13, 1939, reads:

"The installation of Reynolds Ecod Plain Flameproof Lath and the omission of perforations on horizontal V-rib steel of lath on entire building, lathed without interruption in advance of scratch coat, is contrary to Sec. 8.4.10.2 of the Building Code."

and

WHEREAS, the proposed building will be 6 stories (63 ft.) in height, 181 ft. by 90 ft. in area of Class 3 construction, located in a residence use district; occupied throughout as a Class A Multiple Dwelling; and

WHEREAS, the applicant contends that it is proposed to use Reynolds Ecod Plain Flameproof lath, omitting the perforations on the horizontal V-ribs, and to lath continuously without waiting for the application of plaster.

Resolved, that the decision of the Borough Superintendent be and it hereby is modified as to N. B. Applic. No. 5982-39 and that the appeal be and it hereby is *granted on condition* that the lath shall comply with the requirements of the Board as set forth under Cal. No. 714-38-SM, as corrected and printed in the Bulletin of the Board of September 26, 1939, when such lath is used in connection with a one-hour partition.

129-34-A.

APPLICANT—E. M. Glick, for Central Hanover Bank and Trust Co., owner (International Oddities Inc., lessee).

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1600 Broadway, northeast corner of West 48th street (Block No. 1020, Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Applicant: E. M. Glick.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(129-34-A)

WHEREAS, Frigidaire Corporation, for Hollywood Restaurant, owner, filed May 15, 1934, an appeal from an order of the fire commissioner affecting premises 1600 Broadway, northeast corner of West 48th street (Block No. 1020, Lot No. 29), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated April 26, 1934, re Order No. 3272-LC, reads:

"You are hereby ordered and required to forthwith:

"1. Discontinue and remove the direct method of air conditioning in the main lobby and stairway, as per section 219 (f)-1, of the code of ordinances.

"2. Discontinue and remove all piping containing F-12 refrigerant between the basement and the second floor as per section 219(b) of the code of ordinances."

and

WHEREAS, the building is fireproof, 10 stories in height, 113 ft. 8¾ in. by 121 ft. ½ in. in area; OCCUPIED: cellar, boiler and locker rooms, 4 persons; 1st story, stores, bank, 12 persons; 2nd story, kitchen, restaurant, 600 persons; upper stories, offices and showrooms, 20 persons per story; located within a retail district; and

WHEREAS, the appellant claims there are two cooling systems having a common refrigerating machinery room in the cellar, containing one 3 H.P. compressor, 15 lbs. of F-12 refrigerant, with brass piping leading to coil in evaporating compartment on 1st story over revolving door-entrance to Hollywood Restaurant, a 1/6 H.P. motor circulates the cooled air into the hall; also a battery of seven 10 H.P. compressors, each having 45 lbs. of F-12 refrigerant with copper tubing leading to three coils, all (21) coils are enclosed in a metal evaporating compartment suspended from the kitchen ceiling on 2nd story, a 15 H.P. motor circulates the cooled air into the restaurant room through openings in the ceiling; the rising lines of refrigerant (120 lbs. working pressure, 150 lbs. automatic stop and 180 lbs. safety valve) extending to 2nd story are wrapped with insulating material within a metal enclosure; the appellant contends the present air conditioning installation is non-hazardous, the refrigerant is non-irritant, and the order is therefore technical; however, the appellant proposes to provide an additional enclosure around the rising lines of refrigerant by gypsum block construction; and

WHEREAS, this appeal was granted by the board June 19, 1934, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted June 19, 1934, so that as amended it shall read:

"Resolved, that the order of the fire commissioner, No. 3272-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition*

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that the expansion coils shall be completely removed from the entrance hall; that the entrance hall shall be refrigerated by an indirect system only; that all refrigerating risers passing through the entrance hall shall be enclosed in hermetically sealed ducts and ventilated through the basement refrigerating system to the outer air; that other than as modified herein, the system shall comply in all respects with the requirements of the code of ordinances.

"Resolved further, that in the event the second story is occupied as a lecture hall with a capacity of not over 450 persons in place of a restaurant having a capacity of 600 persons, as permitted under Certification of Occupancy No. 7195, the modification in this resolution may still be deemed to apply, provided the certificate of occupancy issued by the borough superintendent is amended to permit the lecture hall occupancy."

349-37-A.

APPLICANT—Benjamin Gordon, for Dr. Irving Michlin, owner.

SUBJECT—Application for consideration—reopening and amendment re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—2256 Bronx Park East, southeast corner of Thwaites place (Block No. 4331, Lot Nos. 24 and 25), Borough of The Bronx.

APPEARANCES—

For Applicant: Benjamin Gordon.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(349-37-A)

WHEREAS, A. H. Salkowitz, for Dr. Irving Michlin, owner, filed July 8, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 2256 Bronx Park East, southeast corner of Thwaites place (Block No. 4331, Lot Nos. 24 and 25), Borough of The Bronx; and

WHEREAS, the decision of the commissioner of buildings on B. N. Slip App. 179-37, dated July 7, 1937, reads as follows:

"1. Proposed change of occupancy of frame two family dwelling to Nursing Home is unlawful as building must comply with provisions of Section 72 of the Building Code."

and

WHEREAS, the building is of frame construction, 2½ stories in height, 20 ft. by 66 ft. in area, erected in 1928, located on a lot 50.14 ft. by 126.2 ft. irregular in area; in a residence C area district; outside the fire limits; and OCCUPIED: cellar, boiler room and storage, no persons; 1st floor—office, sitting room and bedrooms, 6 persons; 2nd floor—patients' rooms, 15 persons; attic apartment—2 persons; and

WHEREAS, the certificate of occupancy No. 34025 was issued February 28, 1925, for the use of the premises as a two-family dwelling and private garage, 40 lbs. floor load; and

WHEREAS, the applicant contends that the building in question is situated 6 ft. east of the easterly line of Bronx boulevard, that Bronx boulevard is 80 ft. in width; Thwaite place is 60 ft. in width, that the nearest building to the east is 60 ft. and to the south 75 ft.; that the property is located outside the fire limits which permits other buildings of frame and non-fireproof construction to be erected on the same or adjoining premises; that these premises have been occupied by the present owner as

a NURSING HOME for custodial care from July of 1926 until April 23rd, 1937, a period of almost 11 years; that on April 22, 1936, upon the request of the Department of Hospitals, the owner filed an application with the Department of Buildings requesting a certificate as a Nursing Home for the premises in question, that no definite decision was made until April of 1937, when the application was denied and the owner forced to evacuate the premises, that the fact that the owner was permitted for a period of over ten years to continue to operate this premises as a nursing home indicates the desirability of the location which faces Bronx Park and the need for this type of private home, that the existing premises as shown on the plans submitted with this application has two sets of interior stairways, remote from each other and also there is a steel exterior stairway with exits thereto from both the first and second floors, all leading to the street or to an outer court or yard under the same ownership; that the existing kitchen on the second floor will be removed, that the walls and ceilings of the present kitchen will be properly fire-retarded, that the present boiler room is completely enclosed with fireproof partitions, that the entire basement ceiling will be completely fire retarded with metal lath and ¾-in. cement plaster where not now already thus covered, that the existing garage space will be discontinued, openings built up and space used for storage purposes, that the owner would prefer to maintain the existing attic rooms for the use of a caretaker for the premises but under no circumstances is there any intention of maintaining any patients at any time in the attic space. The entire exterior of the building is entirely covered with metal lath and Magnesite Cement Stucco; and

WHEREAS, this appeal was granted by the board July 16, 1937, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on July 16, 1937, be and it hereby is amended, so that as amended it shall read:

"Resolved, that the decision of the commissioner of buildings, B.N. Slip App. 179-37, be and it hereby is modified, and the appeal be and it hereby is granted for a period of five (5) years from the date of this action, to permit the building to be changed from two-family dwelling to a nursing home for convalescents, on condition that the building shall not be increased in height or area; that the kitchen fixtures on 2nd floor shall be removed; that the two interior means of exit and exterior steel stairway with 45-degree stairway to grade shall be maintained; that the cellar ceiling shall be fire-retarded and the heater room shall be separated from balance of cellar by means of partition of fireproof material with door leading therefrom fireproof and self-closing; that the ceiling of kitchen on 1st story shall be fire-retarded; that such portable fire appliances shall be maintained as the commissioner shall direct; that the total number of patients accommodated shall at no time exceed twenty-two (22) on the first and second floors; that the attic floor shall be used for owner and attendants only; that permit shall be obtained from the Department of Hospitals for this use; and that the building during this occupancy shall at all times comply with the requirements of that department.

Resolved further, that in the event the owner desires to construct a dormer window in the stairhall of the attic story, as shown on plans filed with building notice No. 693-39, such alteration may be permitted."

171-39-A.

APPLICANT—Theodore R. Feinberg, for Sheffield Farms Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—290-298 Dyckman street and 19-21 Henshaw street, southwest corner (Block

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No. 2246, Lot No. 28), Borough of Manhattan.
APPEARANCES—

For Applicant: Theodore R. Feinberg.
ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(171-39-A)

WHEREAS, Joseph Lau, for Sheffield Farms Co., Inc., owner, filed February 10, 1939, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises 290-298 Dyckman street and 19-21 Henshaw street, southwest corner (Block No. 2246, Lot No. 28), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent, on Alt. Applic. No. 3729-38, dated January 12, 1939, reads:

"1. Since the buildings are 2 stories in height, they must be of fireproof construction, Class I or II, Section 4.2.1 Building Code. There must be a proper fire wall between the two buildings if Class II construction be used."

and

WHEREAS, the building is 2 stories (32 ft.) in height, 169 ft. 4 in. by 104 ft. in area, of non-fireproof construction, equipped with a standpipe system, located in an unrestricted use district, erected in 1920, and occupied: Cellar, storage, 1st floor, stable and garage; 2nd floor, stable. It is proposed to change the occupancy to: Cellar, boiler room; 1st floor, garage, 60 cars; 2nd floor, garage, 60 cars; and

WHEREAS, applicant contends that Certificate of Occupancy No. 4884 of 1922 was issued for: Cellar, storage, 1st floor, stable and garage; 2nd floor, stable; that the building is 17,045 square feet in area, divided into 2 separate areas by a 12 inch brick wall equipped with double fireproof self-closing approved type gravity doors at openings in first story and one pair of double fireproof self-closing doors in the second story; that the fire areas are 11,467 and 5,600 square feet; that the building has 12 inch brick exterior walls, a wood roof and has 2nd tier beams supported on steel girders and iron columns; that the first floor is concrete on earth and the entire 2nd floor is covered with 3 inches of concrete over the wood floor beams; that there is a fireproof stairway from the 2nd floor to street at the northeast corner, and at the southeast corner there is another fireproof stairway leading from 1st floor to street level on the 2nd floor; that there is a standpipe line at each stairway; that inasmuch as the building was originally approved for stable purposes, it is believed that the only logical use for the building is as a public garage; and

WHEREAS, this appeal was granted by the Board March 28, 1939, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of March 28, 1939, so that as amended it shall read:

"*Resolved*, that the decision of the Borough Superintendent, on Alt. Applic. No. 3729-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the columns throughout the 1st floor shall be protected with metal lath and 2 inches of cement with protective metal guards; that the 1st floor ceiling throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the boiler room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior; that the building shall not be further increased in height or area; that the

existing means of exit shall be maintained and enclosed in accordance with the legal requirements; that the east and west division wall shall remain, as shown, through both stories and that any openings therein, shall be protected with fireproof self-closing doors on both sides; that the standpipe system shall be maintained in accordance with the requirements therefor and that the building shall be occupied only as a non-storage garage.

Resolved further, that in the event the owner desires to occupy this building as a storage garage, such occupancy may be permitted, on condition that not more than two 550 gallon gasoline storage tanks are installed inside the building and that any gasoline dispensing pumps are also located inside the building; that no additional signs shall be erected on the building other than those now existing and permitted."

652-39-A.

APPLICANT—Lama and Proskauer, for Garden Building Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—114-07 and 114-11 209th street and 208-18 (209-04) 114th avenue, southwest corner (Block No. 11027, part of Lot Nos. 299 and 305), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(652-39-A)

WHEREAS, Lama and Proskauer, for Garden Building Co., Inc., owner, filed May 18, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 114-07 and 114-11 209th street and 209-04 114th avenue, southwest corner (Block No. 11027, part of Lot Nos. 299 and 305), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. Applic. Nos. 2366, 2368 and 2370-39, dated April 20, 1939, read:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 Building Code not further considered."

and

WHEREAS, the premises consist of a plot 121 ft. 6 in. by 100 ft. in area, located in a business use, "D" area district, upon which it is proposed to erect 3 frame one-family dwellings, each having a one car garage attached thereto. The corner building at 209-04 114th avenue will be 2 stories in height, 29 ft. by 22 ft. in area with attached garage 12 ft. 4 in. by 19 ft. 6 in. in area; the exterior will be surfaced with brick veneer on 1st floor and stucco on 2nd floor, gable ends stucco or finished with wood siding, the roof will be surfaced with approved asphalt shingles. This building will be located on a plot 37.6 ft. by 100 ft. in area set back 8 ft. 6 in. from building line to front entrance vestibule on 114th avenue. The vestibule projects 3 ft. 0 in. beyond main building, the building is to be set back from building line of 209th street, 20 ft. 0 in., the side court to be 4 ft. 0 in. wide. The two buildings, 114-07 209th street, 37 ft. 6 in. north of 114th avenue, and 114-11 209th street, 79 ft. 6 in. north of 114th avenue, will each be 2 stories in height, 22 ft. by 28 ft. in area with attached one car garage size 10 ft. 4 in. by 20 ft. 8 in. of same construction as corner building; these buildings will each be located on a plot 42 ft. by 100 ft. in area, set back 16 ft.

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0 in. from building line to front entrance vestibule, which projects 4 ft. 0 in. beyond main building; and

WHEREAS, the applicant contends that the three buildings in question are part of a proposed development of 34 similar 1-family dwellings, 28 of which are in a residential zone; that covenants will be placed in the deed restricting the use of the land in question to residential purposes and as the entire community is developed with frame buildings, permission is respectfully requested to erect buildings as above described; and

WHEREAS, this appeal was granted by the Board, June 20, 1939, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on June 20, 1939, be and it hereby is *amended*, so that as amended it shall read:

"Resolved, that the decisions of the borough superintendent, on N.B. Applic. Nos. 2366, 2368 and 2370-39, be and they hereby are *modified*, and that the appeal be and it hereby is *granted on condition* that the buildings shall be constructed as proposed and shall comply with the requirements of the "F" residential district in all respects, except that one side yard may be not less than 3 ft. 6 in. and except that on the building located on the corner lot, the side yard along the street shall be not less than 8 ft. in width; that each building shall be restricted to residential use and to an occupancy of a single family; and that in all other respects the building shall comply with the requirements of the Building Code for a dwelling erected outside of the fire limits.

Resolved further, that in the event the owner desires to construct the corner building 22 ft. by 28 ft. with a detached two car garage 18 ft. 10 in. by 20 ft. and to set the building back from 209th street a distance of 16 ft., except for an entrance vestibule projecting 4 ft. beyond the main building and on 114th avenue to set the building back 8 ft. 10 in. from the building line, except for a chimney projecting 2 ft. in depth and with a side yard not less than 6 ft. 8 in. in width, that such may be permitted, on condition that in all other respects the resolution adopted by the Board on June 20, 1939 shall be complied with and that the roof of the garage may be flat with a weather surfacing of approved materials."

1193-39-A.

APPLICANT—Crow, Lewis and Wick for St. Vincent's Hospital of The City of New York, owner.

SUBJECT—Application for consideration—reopening and restoration to Calendar re Appeal from a decision of the acting borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—1-19 Seventh avenue, east side, from West 11th street to West 12th street, 143-157 West 11th street and 148-178 West 12th street (Block No. 607, Lot Nos. 1, 67 and 68), Borough of Manhattan.

APPEARANCES—

For Applicant: G. A. Hartung.

ACTION OF BOARD—Appeal reopened, restored to calendar and granted on condition.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1193-39-A)

WHEREAS, Crow, Lewis and Wick, for St. Vincent's Hospital of the City of New York, owner, filed on September 26, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 1-19 Seventh avenue, 143-157 West 11th street and 148-178 West 12th street (Block No. 607, Lot Nos. 1, 67 and 68), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated September 7, 1939, reads:

"Receipt is acknowledged of your letter of August 25, 1939, and attached blueprint showing preliminary layout of proposed addition to St. Vincent's Hospital west of Eleventh street, east of Seventh avenue.

As you have only filed the layout of the first floor of the building, and the layout of the exits and the number of occupants of the upper floors are not stated, our examination is necessarily incomplete.

The plans, however, fail to show compliance with Section 6.5.2 of the Building Code governing construction of fire towers in that the enclosing walls of the fire tower are not continued to the street.

As regards zoning, as far as we are able to judge from the sketches filed, courts and setbacks appear to be satisfactory."

and

WHEREAS, it is proposed to erect an addition, 9 stories (105 ft. 11 in.), 74 ft. 11¼ in. by 103 ft. 3 in. in area; of Class 1 construction; located in an unrestricted and residence use, "B" area district, as an addition to the existing Class 1 and Class 3 constructed buildings erected between 1882 and 1931, the entire premises to be used throughout as a hospital; and

WHEREAS, the applicant contends that the fire tower in question will be constructed in full compliance with the Code, except as to the egress from termination of same at grade; that the fire tower as proposed is located remote from the main stairway; that it is proposed to provide exit from the fire tower at 1st floor level to the court at rear of the proposed addition; and

WHEREAS, this appeal was withdrawn October 3, 1939 and restored to calendar by vote of the Board.

Resolved, that the decision of the borough superintendent, dated September 7, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the construction of the proposed fire tower in the northerly portion of the proposed 9-story fireproof building, and permitting as an exit therefrom a fireproof passage at the cellar level to east court, thence by means of fireproof passage to 11th street, on condition that any doorway within the building to such passage shall be a door fireproof and self-closing and tested for three hours and that an additional stairway within the courts shall be constructed, substantially as shown on plans filed herein marked "Received October 11, 1939", so as to permit access to the various levels; that in all other respects the fire tower construction shall comply with the requirements therefor.

APPLIANCES SUBMITTED FOR APPROVAL

918-22-SA.

APPLICANT—Williams Oil-O-Matic Heating Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment as to additional models—Williams Oil-O-Matic Fuel Oil Burner, Model HP-3.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and referred to engineer of the board, for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

MINUTES

238-33-SA.

APPLICANT—Lynn Products Company, owner.

SUBJECT—Application for consideration—reopening and amendment as to additional names—Lynn Range Burner, Models Junior, Lupre and DeLuxe.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(238-33-SA)

WHEREAS, David Kaufman, for Lynn Products Co., owner, filed June 28, 1933, an application with the Board of Standards and Appeals, for approval of the device known as the Lynn Range Burner, Models Junior, Lupre and De Luxe; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

On September 13, 1934, Mr. John F. Dixon, acting chief inspector, bureau of combustibles, Mr. Charles E. Johnson, assistant inspector, bureau of combustibles and Mr. Leslie V. Huber, chief engineer of the board, visited the premises 103 Center street, Borough of Manhattan, and inspected and tested the Lynn Range Burner in operation.

These burners consist essentially of a glass bottle mounted upon a stand connected to controlled valve and the burners proper which are installed inside the fire box of the range. The base of the burner consists of an iron casting of concentric rings with walls $\frac{3}{4}$ of an inch in height. Into these rings there are set perforated vaporizing cylinders, these cylinders having metal covers which hold them in position and the outer and inner series are equipped with asbestos wicks.

The oil level is regulated at the time of installation, the cup of the stand supporting the glass bottle being about $\frac{1}{8}$ of an inch higher than the level of the burner ring. When this level is found the burner and cup are secured in place by means of Allen set screws. The two gallon supply bottle is equipped with a metal cover having two hand grips on it, and it is securely fastened to the stand by a locking collar.

The piping connecting the bottle to the burner was enclosed in "BX" cable securely fastened to the floor by means of incombustible fasteners.

The copper tubing used is extra heavy 5/16 of an inch in outside diameter. The valves used are manufactured by the Lynn Products Company and are of the "V" Slot Principle, affording a fine control of the oil.

One of the burning units was started and allowed to burn until maximum heat was generated. The second unit was then turned on fully, and in approximately five minutes the oil in it was vaporized sufficiently that it was ignited by the heat from the first unit without any severe puff back.

We recognized in these burners, the inherent possible hazards due to location and operation. In recommending these burners for approval, we suggest that certain recommendations be carried out in their installation and incorporated on the instruction card which must be placed near the burner.

As this burner complies with the Oil Burner Rules adopted by the board June 15, 1934, it is recommended that same be approved with the recommendation submitted.

WHEREAS, this burner has been approved by the Underwriters Laboratories Guide No. 300-10-19, File MP 733; and

WHEREAS, this burner was approved by the Board October 3, 1934, on certain conditions and applicant requested permission to market the burner under the name Kalamazoo.

Resolved, that the Board of Standards and Appeals does hereby approve the Lynn Range Burner, Models "Junior," "Lupre" and "DeLuxe" on condition that this device shall comply with the Oil Burner Rules of the Board of Standards and Appeals and also the following additional requirements:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.

2. When exposed oil piping is more than 8 inches in length, same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7, 1A and 1B.

3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.

4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.

5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.

6. Cracks or crevices between the combustible chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.

7. Only approved safety cans shall be used for the storage and filling of oil containers.

8. Storage container shall not be filled in same room when and where burner is in operation.

9. Floor beneath oil burner device shall be protected by shield of at least $\frac{1}{2}$ -inch asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed, including the oil supply container and stand.

10. The storage container shall bear a label permanently attached thereto reading as follows:

NOTICE

Approved for Use in New York City
BY THE

BOARD OF STANDARDS AND APPEALS

UNDER CAL. NO. 238-33-SA.

Only an Approved Safety Can Shall Be Used in Filling
This Storage Container.

Resolved further, that this device may also be marketed under the name Kalamazoo Range Burner, Models, Junior, Lupre and DeLuxe, on condition that under which ever name marketed, the requirements of this resolution shall be complied with.

166-34-SA.

APPLICANT—Lynn Products Company, owner.

SUBJECT—Application for consideration—reopening and amendment as to additional names—Lynn Power Oil Burner, Models 1, 2 and 3.

APPEARANCES—

For Applicant: None.

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ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(166-34-SA)

WHEREAS, David Kaufman, for Lynn Products Company, owner, filed June 16, 1934, an application with the Board of Standards and Appeals for approval of its device known as the Lynn Power Oil Burner, Models 1, 2 and 3; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles of the fire department, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

The burner under test at these premises was the Model No. 1. Models No. 2 and 3 are the same as No. 1, with the exception that larger fans and motors are used. All three burners are designed to burn No. 1 to No. 4 grade commercial fuel oil. The burner consists of the following parts:

Ohio 1/8 H.P. motor; Tuthill pump; Detroit lubricator; regulating and shut-off valve; Sirocco type fan and Cuno strainer.

Ignition—Electric. Dongan transformer 110 to 10,000 volts.

Controls—Pressuretrol type L-404-Z; Protecto-relay Model R-117-3.

Nozzle—Monarch.

The burner was put into operation with the oil supply shut off, and with a cold combustion chamber, and at the end of 80 seconds, the controls operated and shut the machine down. This test was repeated a second time, and the controls shut the machine down in 83 seconds.

Examination of the spark showed it to be of sufficient length and intensity. The burner was then operated under normal conditions, and the flame was continuous, non-fluctuating and free from smoke and soot. Examination of the combustion chamber showed no hazardous carbon formation.

The burner, Models 1, 2 and 3, has been approved by the Underwriters Laboratories for oil not heavier than No. 3, Guide No. 300-10.4, MP-686.

It is therefore recommended that the Lynn Power Oil Burners, Models 1, 2 and 3, be approved when installed in accordance with the provisions of the Oil Burner Rules adopted by the Board of Standards and Appeals.

and

WHEREAS, this application was granted by the board July 17, 1934, approving this appliance and applicant requested permission to market the burner under the name "Kalamazoo."

Resolved, that the resolution adopted by the board on July 17, 1934, be and it hereby is amended, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the Lynn Power Oil Burner, Models 1, 2 and 3, for use in domestic, commercial and industrial installations, when used with fuel oil not heavier than No. 3, and when installed in accordance with this report and the Oil Burner Rules of the Board of Standards and Appeals.

Resolved further, that this device may also be marketed under the name Kalamazoo Power Oil Burner,

Models 1, 2 and 3, on condition that under whichever name marketed, the burner shall bear a label reading: 'Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 166-34-SA'."

1200-39-SA.

APPLICANT—Irving Hecht, agent, for Conco-Sampsel Stoker Corporation, owner.

SUBJECT—Conco Oil Burner—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1200-39-SA)

WHEREAS, Irving Hecht, agent for Conco-Sampsel Stoker Corporation, owner, filed September 29, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Conco Oil Burner; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 1200-39-SA

Subject: Conco Oil Burner—approval of.

Irving Hecht, agent for Conco-Sampsel Stoker Corporation, owner, filed September 29, 1939, an application with the Board of Standards and Appeals for approval of the Conco Oil Burner, under the provisions of C26-191.0 (2.2.3) Adm. Building Code and the Oil Burner Rules of the Board of Standards and Appeals.

Inspection and test of this burner was made at 119 East 27th Street, New York City. Present at the test were Acting Chief Inspector John F. Dixon and Inspector of Combustibles Charles Johnson of the Division of Combustibles of the Fire Dept. and representatives of the Board of Standards and Appeals and the owner.

The burner was installed for demonstration purposes in an ordinary domestic type steam heating boiler. The Burner consists of the following assembly: Wagner 1/6 H.P. motor; Tuthill Fuel Stat, consisting of pump, strainer, pressure regulating valve and a sirocco type fan. Nozzle—Monarch 1.35 to 6 gallons per hour.

Ignition—Electric. Jefferson transformer 110 to 10,000 volts being used.

Controls—Penn Stack control and a Penn Pressuretrol.

The burner was operated with the oil supply shut off and the controls functioned as designed and shut the burner down in 72 and 75 seconds respectively on two successive tests. The burner was then put into normal operation and all controls found to function as designed. This burner is so constructed that it will burn Nos. 1, 2 and 3 commercial grades of fuel oil. Examination of the combustion chamber showed no undue carbon deposits and during the period of test the flame was clean, being free of smoke and soot.

The burner has been approved by the Underwriters Laboratories Misc. Petroleum 1277 July 31, 1939.

As a result of this inspection and test, it is recommended that the Conco Oil Burner be approved for domestic, industrial and commercial installations with fuel oil not heavier than No. 3 U. S. Dept. of Commerce Standards, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, on condition that the burner bear a label permanently affixed reading "Approved by the Board of

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Standards and Appeals for use in New York City under Cal. No. 1200-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Conco Oil Burner, on condition that the appliance be manufactured, installed, operated and labelled in accordance with above report.

1205-39-SA.

APPLICANT—Gudmund Sivertsen, owner.

SUBJECT—Bake-O-Heat Oil Burner—approval of.

APPEARANCES—

For Applicant: Gudmund Sivertsen.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1205-39-SA)

WHEREAS, Gudmund Sivertsen, owner, filed October 2, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Bake-O-Heat Oil Burner; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 1205-39-SA

Subject: Bake-O-Heat Oil Burner,
Approval of.

Gudmund Sivertsen, owner, filed October 2, 1939, an application with the Board of Standards and Appeals for approval of the Bake-O-Heat Oil Burner, under the provisions of C26-191.0 (2.2.3) Adm. Building Code and the Oil Burner Rules of the Board of Standards and Appeals. Inspection and test of this burner was made at 460 Austen Place, The Bronx, New York City. Present at the test were Acting Chief Inspector John F. Dixon and Inspector of Combustibles Charles Johnson of the Division of Combustibles, Fire Department and representatives of the Board of Standards and Appeals and the owner.

This burner is of the mechanical, atomizing, natural draft type, and consists essentially of a nozzle manufactured by the owner; a Century 1/6 H.P. motor, and a Detroit lubricator magnetic oil valve.

The pump type burner omits the magnetic oil valve and uses a standard type pump such as the Viking for maintaining a constant pressure on the nozzle.

The air and oil for the primary combustion is mixed in a special mixing chamber, equipped with rotary gears for the purpose of mixing the air and oil.

Ignition:—By means of a gas pilot light, manually operated.

Controls:—Magnetic gas valve manufactured by the Detroit Lubricator Co., connected between the oil supply line and the gas supply line of the pilot light.

This burner was operated and the controls functioned as designed. The operation of this burner is not contingent upon a continually lighted pilot light. When

pilot light was turned off it continued to function as designed.

This burner is designed in two types, namely, a no pump type and a pump type burner. In both cases the operation is purely manual and required that the person in charge of the operation of burner hold a certificate of fitness as required by the Oil Burner Rules.

As a result of this inspection and test it is recommended that the BAKE-O-HEAT OIL BURNER be approved for manual operation with numbers 1, 2, 3 and 4 commercial grades of fuel oil, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, on condition that the burner bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1205-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Bake-O-Heat Oil Burner, on condition that the appliance be manufactured, installed, operated and labelled in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL

222-38-SM.

APPLICANT—Adolph H. Morner, owner.

SUBJECT—Woodseal Insulation Lath—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

1229-38-SM.

APPLICANT—Standard Oil Company of New Jersey, owner.

SUBJECT—"Ennjay" 160/180 Melting Point and 180/200 Melting Point Roofing Asphalt and "Ennjay" Slate Filled Asphalt—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1229-38-SM)

WHEREAS, the Standard Oil Company of New Jersey, owner, filed December 31, 1938, an application with the Board of Standards and Appeals for approval of the material known as "Ennjay" 160-180 Melting Point Asphalt for Flat Roofs, 180-200 Melting Point Asphalt for steep roofs and "Ennjay" Slate Filled Asphalt; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

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REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 1229-38-SM,
Subject: "Ennjay" 160/180 Melting Point,
Asphalt for flat roofs, 180/200 Melting
Point Asphalt for steep roofs,
and "Ennjay" Slate Filled Asphalt.

October 11, 1939.

The Standard Oil Company of New Jersey, filed on December 31, 1938, an application with the Board of Standards and Appeals for the approval of asphalts as listed herein for use with roofing materials specified under C26-605 to 609 (10.1.16 to 10.1.17) of the Administrative Building Code. These asphalts are sold by the applicant to the various manufacturers of roofing materials.

Tests on these materials were made by the A. W. Dow Company of New York City, Analyses Nos. 37847 and 37825, supplemented by tests made at the laboratories of the manufacturer, report filed herewith, indicating that the material will be maintained within ranges as follows:

COMPARISON OF A.S.T.M. SPECIFICATIONS DESIGNATION D-312-37T and

STANDARD OIL COMPANY OF NEW JERSEY GRADES

	Mineral Surfaced Flat				Unsurfaced Flat			
	S. O. Co.		S. O. Co.		S. O. Co.		S. O. Co.	
	N. J. Water-		N. J. Water-		N. J. Water-		N. J. Water-	
	proofing		proofing		proofing		proofing	
	D-312-37T Asphalt		D-312-37T Asphalt		D-312-37T Asphalt		D-312-37T Asphalt	
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.
(a) Softening Point °F	135	150	145	170	135	170	145	170
(Ring & Ball Method) °C	57	66			57	77		
(b) Penetration 0°C (32°F)								
200g-60 sec.	5		10		5		10	
25°C (77°F)								
100g-5 sec.	20	50	25	50	20	40	25	50
46°C (115°F)								
50g-5 sec.		100		115		150		115
(c) Ductility @ 25°C (77°F)								
(5 cm. per min.)	10		15		4		15	
(d) Loss on Heating 163°C (325°F)								
50 grams 5 hrs. per cent.		1.5		1.0		1.5		1.0
(e) Penetration of Residue (% Original)	60		60		60		60	
(f) Soluble in Carbon Disulphide (Unfilled Asphalt %)	99		99		99		99	
(g) Bitumen Soluble in Carbon Tetrachloride %	99		99		99		99	

Unsurfaced Steep

	S. O. Co.		S. O. Co.		S. O. Co.	
	N. J.		N. J.		N. J.	
	160/180		160/180		180/200	
	Min.	Max.	Min.	Max.	Min.	Max.
(a) Softening Point °F	170	200	170	180	190	200
(Ring & Ball Method) °C	77	93				
(b) Penetration 0°C (32°F)						
200g-60 sec.	10		15		10	
25°C (77°F)						
100g-5 sec.	20	40	30	40	22	27
46°C (115°F)						
50g-5 sec.		100		100		75

(c) Ductility @ 25°C (77°F) (5 cm. per min.)	3	4	3
(d) Loss on Heating 163°C (325°F) 50 grams 5 hrs. per cent.	1.5	.1	.1
(e) Penetration of Residue (% Original)	60	60	60
(f) Soluble in Carbon Disulphide (Unfilled Asphalt %)	99	99	99
(g) Bitumen Soluble in Carbon Tetrachloride %	99	99	99

The same physical and chemical properties are maintained for asphalts used above ground level as waterproofing materials, as provided for in A.S.T.M. D-449-37T (Type B).

On the basis of the foregoing tests and data, the committee recommends the approval of asphalts as made by the Standard Oil Company of New Jersey and sold under the names "Ennjay" 160/180 Melting Point Asphalt (for flat roofs), "Ennjay" 180/200 Melting Point Asphalt (for steep roofs) and "Ennjay" Slate filled Asphalt, for use in roofing materials under C26-605 to 609 (10.1.16 to 10.1.17) C26-178.0 (2.1.2.5) b, and C-26-191.0 (2.2.3) of the Administrative Building Code in waterproofing materials used above ground. It is further recommended that each container of these asphalts bear a tag, label or stamp reading as follows: "Approved for use in New York City by the Board of Standards and Appeals, as a basic waterproofing (above ground) material under Cal. No. 1229-39-SM," and when marketed in bulk, the bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of these materials.

Resolved, that the Board of Standards and Appeals does hereby approve the materials known as "Ennjay" 160/180 Melting Point Asphalt for Flat Roofs, 180/200 Melting Point Asphalt for Steep Roofs and "Ennjay" Slate Filled Asphalt on condition that the materials be manufactured, used and labelled, stamped or tagged in accordance with above report.

498-39-SM.

APPLICANT—Empire Fan and Ventilator Company, for George Abernethy, owner.

SUBJECT—Empire Turbine Ventilator—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh

Negative

Absent

THE RESOLUTION—

(498-39-SM)

WHEREAS, The Empire Fan and Ventilator Co., for George Abernethy, owner, filed April 20, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Empire Turbine Ventilator; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

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WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 498-39-SM.

Subject—Empire Turbine Ventilator—approval of.

The Empire Fan and Ventilator Company, for George Abernethy, owner, filed April 20, 1939, an application with the Board of Standards and Appeals for approval of the Empire Turbine Ventilator, under the provisions of C26-262.3c (8.1.5.3) Adm. Bldg. Code and Section 200 Subdiv. E Multiple Dwelling Law.

The Empire Turbine Ventilator is constructed of 20, 22, 24 and 26 gauge sheet steel and revolves on a ½ inch cold rolled iron shaft resting on a hardened steel ball bearing set in brass. The ventilator has a diameter of 12 inches at bottom and a height over all of 21 inches.

Tests indicated that the ventilator will produce an air displacement of 136 cu. ft. per minute and will produce more than 4 changes of air per hour over an ordinary size bathroom with wind blowing 2 miles per hour.

An inspection was made of the material and construction of these ventilators at the shop of the applicant 24-02 41st avenue, Long Island City.

It is recommended that the Empire Turbine Ventilator be approved for use in New York City, on condition that the ventilator be constructed strictly in accordance with plans and specifications filed with the application. All ventilators installed and the material and workmanship shall be equal to the samples inspected and that the ventilator shall bear a label permanently affixed thereto reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 498-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Empire Turbine Ventilator, *on condition* that the material be manufactured, installed, operated and labelled in accordance with above report.

499-39-SM.

APPLICANT—Empire Fan and Ventilator Equipment Company, owner.

SUBJECT—Empire Syphon Ventilator—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(499-39-SM)

WHEREAS, the Empire Fan and Ventilator Co., for George Abernethy, owner, filed April 21, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Empire Syphon Ventilator; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 499-39-SM.

Subject: Empire Syphon Ventilator—approval of.

The Empire Fan and Ventilator Company, for George Abernethy, owner, filed April 21, 1939, an application with the Board of Standards and Appeals for approval of the Empire Syphon Ventilator under the provisions of Sec. C. 26-262.3c (8.1.5.3) Administrative Building Code and Sec. 200, Subdiv. E, Multiple Dwelling Law.

The ventilator is of the stationary type and is constructed of 26 gauge galvanized sheet iron throughout, the diameter at the bottom of the cylindrical section is 12 inches, the diameter of the middle or conical section is 18 inches and of the top section approximately 20 inches.

Tests indicate that this ventilator will produce air displacements of 184 cu. ft. per minute and if installed over an ordinary size bathroom will produce more than 4 changes of air per hour.

An inspection was made of the material and construction of this ventilator at the shop of the applicant, 24-02 41st avenue, Long Island City.

It is recommended that the Empire Syphon Ventilator be approved for use in New York City on condition that the ventilator be constructed strictly in accordance with plans and specifications filed with the applications. All ventilators installed and the material and workmanship shall be equal to the sample inspected and that the ventilator shall bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 499-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Empire Syphon Ventilator, *on condition* that the material be manufactured, installed, operated and labelled in accordance with above report.

578-39-SM.

APPLICANT—Clyde H. Baird, for Federal American Cement Tile Company, owner.

SUBJECT—Federal-American Cement Tile Co., Featherweight Concrete Channel Slabs (for floor and roof construction)—approval of.

APPEARANCES—

For Applicant: George E. Strehan.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(578-39-SM)

WHEREAS, Clyde H. Baird, for Federal American Cement Tile Company, owner, filed May 5, 1939, an application with the Board of Standards and Appeals for approval of the material known as Federal-American Cement Tile Co., Featherweight Concrete Channel Slabs (for floor and roof construction); and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

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WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 578-39-SM.

Subject: Featherweight Concrete Channel Slabs
for use on floors and roofs.

Clyde H. Baird, for Federal-American Cement Tile Company, owner, of 122 East 42nd street, and 608 South Dearborn street, Chicago, with plants at Hammond, Ind., Lincoln, N. J., Wampum, Pa. and Birmingham, Ala., filed May 5, 1939, an application with the Board of Standards and Appeals for approval of the Featherweight Concrete Channel Slabs for floor and roof construction under the provisions of Sections C26-618.0 (10.2.8), C26-625.0 (10.3.7) and C26-626.0 (10.3.8) Adm. Building Code.

Federal American Featherweight Channel Slabs are manufactured of concrete consisting of 1 part High Early Strength Portland Cement and $3\frac{1}{4}$ parts of aggregate, in equal proportions of Haydite and sand, cast in vibrated metal forms. The channel slabs are either $3\frac{1}{2}$ or $2\frac{3}{4}$ inches deep, 24 inches wide with 1 inch webs; reinforced with either one $\frac{3}{8}$ or one $\frac{7}{16}$ inch round deformed rod in each flange, protected by $\frac{1}{2}$ inch of concrete and with a 4 inch by 4 inch beveled mesh reinforcement in the web of No. 12 and No. 14 gauge wires. All slabs are cured in air a minimum of 10 days before shipment. The test slabs were manufactured and tested at the Lincoln, N. J. plant of the Federal American Cement Tile Company.

TESTS

One-third point load tests were conducted on three specimens of each of the following types of channel slab to secure an average result, all specimens being 28 days of age at time of test. The span reported in all cases is the clear span, edge to edge of supports which were 2 inches wide. The corresponding span, center to center of steel supporting beams is 4 inches greater, allowing for 2 inch bearing at each end.

The load was applied through 2 inch bearings at the Third Points and consisted of bags of cement averaging 95 lbs. each with the container piled on a plank platform.

TYPE 1: $3\frac{1}{2}$ in. Channel Slab, reinforced with $\frac{7}{16}$ in. round rods and 4 in. by 4 in. rectangular mesh, Nos. 14 and 12 gauge wires for use on spans of 8 ft. 4 in. center to center of steel supports, safe superimposed load 55 lbs./sq. ft.

TYPE 2: $3\frac{1}{2}$ in. Channel Slab, reinforced with $\frac{3}{8}$ in. round rods and 4 in. by 4 in. rectangular mesh, Nos. 14 and 12 gauge wires, for use on spans of 7 ft. 0 in. center to center of steel supports, safe superimposed load 57 lbs./sq. ft.

TYPE 3: $2\frac{3}{4}$ in. Channel Slab, reinforced with $\frac{7}{16}$ in. round rods and 4 in. by 4 in. rectangular mesh, Nos. 14 and 12 gauge wires, for use on spans of 6 ft. 4 in. center to center of steel supports, 72 lbs./sq. ft.

TYPE 4: $2\frac{3}{4}$ in. Channel Slab, reinforced with $\frac{3}{8}$ in. round rods and 4 in. by 4 in. rectangular mesh, Nos. 14 and 12 gauge wires, for use on spans of 6 ft. 0 in. center to center of steel supports, safe superimposed load 58 lbs./sq. ft.

NOTE: The safe superimposed load noted above is obtained by applying a factor of 4 to the ultimate THIRD-POINT test load and dividing by the area of slab, center to center of supports of test load.

Following is a resume of typical tests showing progressive loads and deflections:

TYPE 1

$3\frac{1}{2}$ in. Channel — $\frac{7}{16}$ in. ϕ

TEST 1

Clear Span	Wt. (Lbs.)	Area	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflection (Ins.)
8 ft. 0 in.	268	16.34	56	3.5	$\frac{5}{8}$
8 ft. 4 in. c. to c.			1756	107	$\frac{3}{4}$
			2336	143	1
			2906	178	$1\frac{1}{8}$
			3476	212	

TEST 2

Clear Span	Wt. (Lbs.)	Area	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflection (Ins.)
8 ft. 0 in.	266		56	3.5	$\frac{1}{8}$
8 ft. 4 in. c. to c.			816	50	$\frac{1}{8}$
			1386	85	$\frac{3}{8}$
			1956	119	$\frac{5}{8}$
			2526	155	$\frac{7}{8}$
			3566	218	1

TEST 3

Clear Span	Wt. (Lbs.)	Area	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflection (Ins.)
8 ft. 0 in.	271		56	3.5	$\frac{1}{8}$
8 ft. 4 in. c. to c.			816	50	$\frac{1}{8}$
			1576	98	$\frac{1}{2}$
			2336	142	$\frac{3}{4}$
			3096	189	1
			3656	223	$1\frac{1}{4}$

Average Sq. Ft. Breaking Load.....	218 lbs. sq. ft.
Safe Working Load.....	55 lbs. sq. ft.
Deflection before Failure.....	$1\frac{1}{8}$ in. sq. ft.
Deflection at Working Load.....	$\frac{1}{8}$ in. sq. ft.
Failure in all cases in Bond and Diagonal Tension Dead Load of Slab	14 lbs. sq. ft.

TYPE 2

$3\frac{1}{2}$ in. Channel — $\frac{3}{8}$ in. ϕ

Clear Span	Test	Wt. (Lbs.)	Area (Ft.)	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)
6 ft. 8 in.	1	224	13.66	3136	230
7 ft. 0 in.	2	226	13.66	3146	230
c. to c.	3	222	13.66	3056	223
					683

Average Sq. Ft. Breaking Load.....	228 lbs. sq. ft.
Safe Working Load.....	57 lbs. sq. ft.
Deflection before Failure.....	$1\frac{1}{8}$ in. sq. ft.
Deflection at Working Load.....	$\frac{1}{8}$ in. sq. ft.
Failure in all cases in Bond and Diagonal Tension	
Dead Load of Slab.....	14 lbs. sq. ft.

TYPE 3

$2\frac{3}{4}$ in. Channel — $\frac{7}{16}$ in. ϕ

TEST 1

Clear Span	Wt. (Lbs.)	Area	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflection (Ins.)
6 ft. 0 in.	192	12.34	56	4.5	
6 ft. 4 in.			1386	112	$\frac{1}{4}$
			2526	205	
			3196	260	$1\frac{1}{8}$

TEST 2

Clear Span	Wt. (Lbs.)	Area (Sq. Ft.)	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflection (Ins.)
6 ft. 0 in.	186		56	4.5	
6 ft. 4 in. c. to c.			1956	158	$\frac{1}{2}$
			2896	234	1
			3656	296	

TEST 3

Clear Span	Wt. (Lbs.)	Area	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflection (Ins.)
6 ft. 0 in.	194		56	4.5	
			1196	97	$\frac{1}{8}$
			3856	312	$1\frac{1}{8}$

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Average Sq. ft. Breaking Load.....	289 lbs. sq. ft.
Safe Working Load.....	72 lbs. sq. ft.
Deflection before Failure.....	1 1/8 in. sq. ft.
Deflection at Working Load.....	1/8 in. sq. ft.
Failure in Bond and Shear.....	
Dead Load of Slab.....	12 lbs. sq. ft.

TYPE 4

Clear Span	2 3/4 in. Channel — 3/8 in. ϕ				
	Wt. (Lbs.)	Area	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflec- tion (Ins.)
5 ft. 8 in.	184	11.66	3022	260	1 3/8
6 ft. 0 in.					
c. to c.	176		2450	210	1 1/4
	182		2622	225	1 1/8
			695		

Average sq. ft. Breaking Load.....	232 lbs. sq. ft.
Safe Working Load.....	58 lbs. sq. ft.
Deflection before Failure.....	1 1/4 in. sq. ft.
Deflection at Working Load.....	1/8 in. sq. ft.
Diagonal Tension Dead Load Slab....	12 lbs. sq. ft.

On the basis of these tests, the committee recommends the approval of the slabs as listed below as meeting the requirements of C-26-619.0 Administrative Code (10.3.1.BC) for roofs of Class 1 and Class 2 construction where the fire protection covering is omitted from the roof trusses as provided in C26-618.0 Administrative Code (10.2.8 BC) under C26-620.OC Administrative Code (10.3.2.3 subdiv. 2 BC) as the concrete slab provided for therein, under C26-670.0 Administrative Code (10.12.1 BC) as a floor or roof slab as provided for therein and under C26-626.0 Administrative Code (10.3.8 BC) simple spans under the following building conditions:

- 1—3 1/2 in. channel with 7/16 in. ϕ Rods Max. Span 8 ft. 4 in. Superimposed Load 55 sq. ft.
- 2—3 1/2 in. channel with 3/8 in. ϕ Rods Max. Span 7 ft. 0 in. Superimposed Load 57 sq. ft.
- 3—2 3/4 in. channel with 7/16 in. ϕ Rods Max. Span 6 ft. 4 in. Superimposed Load 72 sq. ft.
- 4—2 3/4 in. channel with 3/8 in. ϕ Rods Max. Span 6 ft. 0 in. Superimposed Load 58 sq. ft.

Span specified is measured center to center of steel supporting beams.

When concrete channel slabs are shipped at age of ten days or less, approved high early strength Portland cement shall be used.

The committee recommends further that care should be exercised to avoid undue concentration of loads and that precaution shall be taken to provide at least 2 inches bearing on the steel and that all structural beams or purlins supporting these slabs shall be properly aligned and that cylinder of the Haydite concrete shall develop strength of at least 3000 p.s.i. at the end of 28 days, and that each slab made for use under this approval be marked as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 578-39-SM" or in lieu thereof, a stamp bearing the following inscription within a circle: around the periphery at the top, the word "APPROVED", along the bottom, B. S. & A.; in the centre two line, upper line reading: N.Y.C., lower line reading: 578-39-SM.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommends the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Federal American Cement Tile Co., Featherweight Concrete Channel Slabs (for roof and floor construction), on condition that the material be manufactured, installed, labelled, stamped or tagged in accordance with above report.

1136-39-SM.

APPLICANT—S. H. Pomeroy Co., Inc., owner.

SUBJECT—Pomeroy "Superior" type Hollow Metal Heavy Type Steel Double Hung Window, Models H, I and L—approval of.

APPEARANCES—

For Applicant: Loring Washburn and Joseph E. Quinn.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

Absent

THE RESOLUTION—

(1136-39-SM)

WHEREAS, S. H. Pomeroy Co., Inc., owner, filed September 16, 1939, an application with the Board of Standards and Appeals for approval of the material known as Pomeroy "Superior Type" Hollow Metal Steel Double Hung Window, Models H, I, L; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 1136-39-SM

Subject: Pomeroy "Superior Type" Hollow Metal Steel Double Hung Window, Models H, I, L.

October 16, 1939.

The S. H. Pomeroy Co., Inc., of New York City, filed with the Board of Standards and Appeals on September 16, 1939, a request for the approval of their window, as hereinafter described under the provisions of C26-610.0 (10.1.10) Administrative Building Code and under the provision of the New York State Labor Law as a fire-proof window.

The window is manufactured at the plant of the applicant located in New York City. It is a hollow metal window as shown in figure 1 with the gauges of the component part as follows:

SCHEDULE OF MATERIALS

Members	Gauge	
	As Tested	As Now Made
Head	20	18
Head Filler	22	22
Jamb	20	20
Sill	16	14
Upper and Lower Face Plates...	18	18
Head, Sill and Center Braces...	14 black iron	14
Dividing Strip	22	22
Muntin Bars & Cross Rails....	22	20
Sash Stiles	20	18
Muntin Caps	18	18
Muntin Rein. Plates & Pulley Housing	14 black iron	14
Wedge Plate	14	14
Wedges	16	16
Reinforcements for Single Light Sash	14	14
Pulley Housing Pl.	12 black iron	12

This window is a heavier design of that as approved under Cal. No. 1137-39-SM. The Underwriters have approved this window as a result of the fire test reported in the aforementioned Calendar number.

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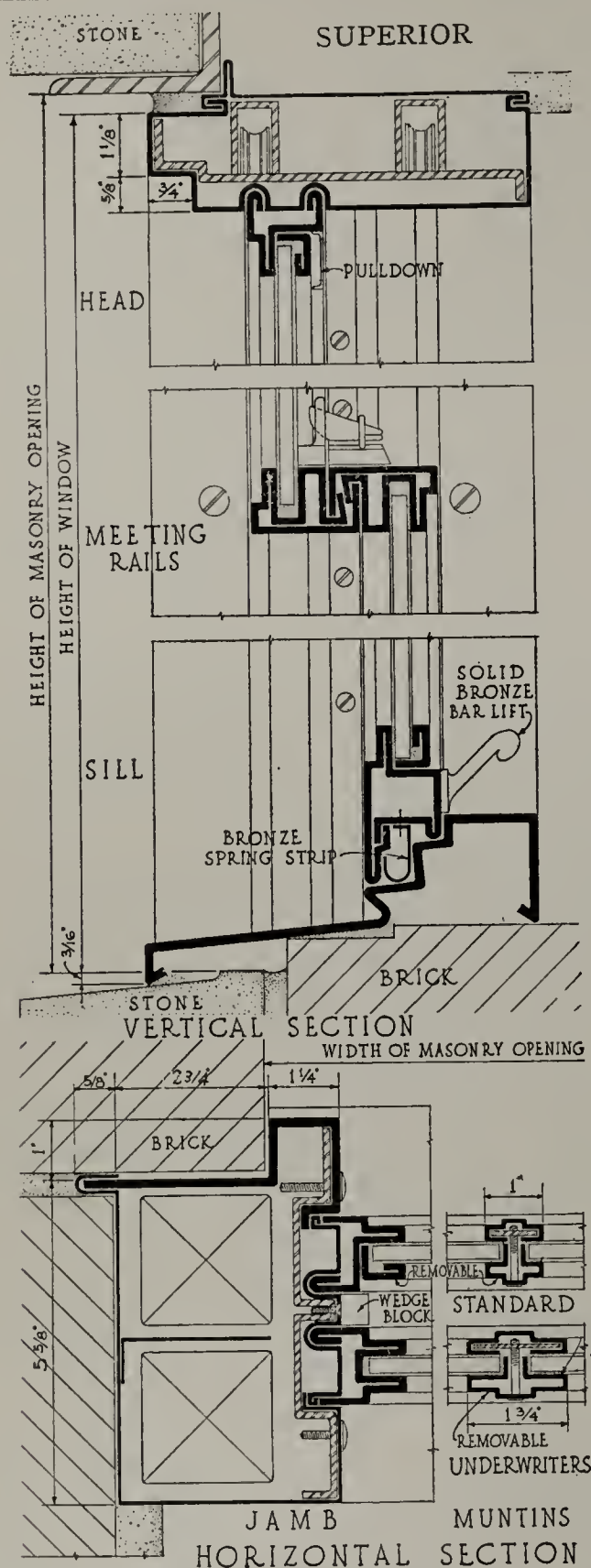


Fig. 1.

The details of construction of this window (see figure 1) with gauges of material as follows:

Member	As Approved	Model H	Model I	Model L
Head	20 ga.	16 ga.	16 ga.	18 ga.
Head Filler	22	22	22	22
Jamb	20	16	20	18
Hanging Stile	20	12	12	18
Sill	16	12	14	14
Sill for Windows Over 5' Wide	14	12	14	14
Upper & Lower Face Plates	18	18	18	18
Head Sill & Center Braces	14	14	14	14
Dividing Strips	22	22	22	22

Cross Rails and Sash Stiles	18	14	14	14
Muntin Bars & Cops	20	18	18	18
Muntin Reinforcing Plates	14 black iron	14	14	14
Pulley Housing Plates	12 black iron	12	12	12
Pulley Housing Plates	14 black iron	14	14	14

On the basis of the Board's approval of the Pomeroy Standard Type Window, Cal. No. 1137-34-SM, the Committee recommends the approval of the Pomeroy "Superior Type" Hollow Metal Steel Double Hung Window, Models H, I and L as Opening Protective Assemblies without transoms of the size as tested, 6 ft. wide by 10 ft. high, under C26-610.0 (10.1.18) C26-191.0 (2.2.3) and C26-178.0, b (2.1.2.5) of the Administrative Building Code and for use under the provisions of the Labor Law of the State of New York wherein windows are required to be fireproof. The sizes of individual glass panes shall not exceed 720 sq. inches maximum exposed area or 54 in. vertically or 48 in. horizontally, which shall be of approved type. The muntin in figure 1 marked "Underwriters" shall be used wherever such window is required to be fireproof. Each window shall be painted at the shop with at least one coat of approved galvanized steel priming paint. Nothing herein contained shall be deemed as waiving any requirement of the Labor Laws of New York State.

Before using, each window shall be inspected as required by the Inspection of Approved Opening Protective Assembly Rules of the Board of Standards and Appeals, after which a metal label with raised letters shall be affixed by riveting to the frame and reading as follows: "Approved by the Board of Standards and Appeals as a Fireproof Opening Protective Assembly under Cal. No. 1136-39-SM."

(Sgd.) BERNARD A. SAVAGE.

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Pomeroy "Superior Type" Hollow Metal Steel Double Hung Window, Models H, I and L, on condition that the material be manufactured, installed, labelled, stamped or tagged in accordance with above report.

1137-39-SM.

APPLICANT—S. H. Pomeroy Co., Inc., owner.

SUBJECT—Pomeroy "Standard" Type Hollow Metal Steel Double Hung Window, Model M—approval of.

APPEARANCES—

For Applicant: Loring Washburn and Joseph E. Quinn.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Absent

Negative

THE RESOLUTION—

(1137-39-SM)

WHEREAS, S. H. Pomeroy Co., Inc., owner, filed September 16, 1939, an application with the Board of Standards and Appeals for approval of the material known as Pomeroy "Standard Type" Hollow Metal Steel Double-Hung Win-

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dow, Model M; and

WHEREAS, this material, was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 1137-39-SM. October 14, 1939

Subject: Pomeroy "Standard Type"
Hollow Metal Steel Double-Hung Window,
Model M, Approval of.

The S. H. Pomeroy Co. Inc. of New York City filed with the Board of Standards and Appeals on September 16, 1939, a request for the approval of their window, as hereinafter described under the provisions of C26-610.0 (10.1.18) Administrative Building Code and under the provisions of the New York State Labor Law as a fireproof window.

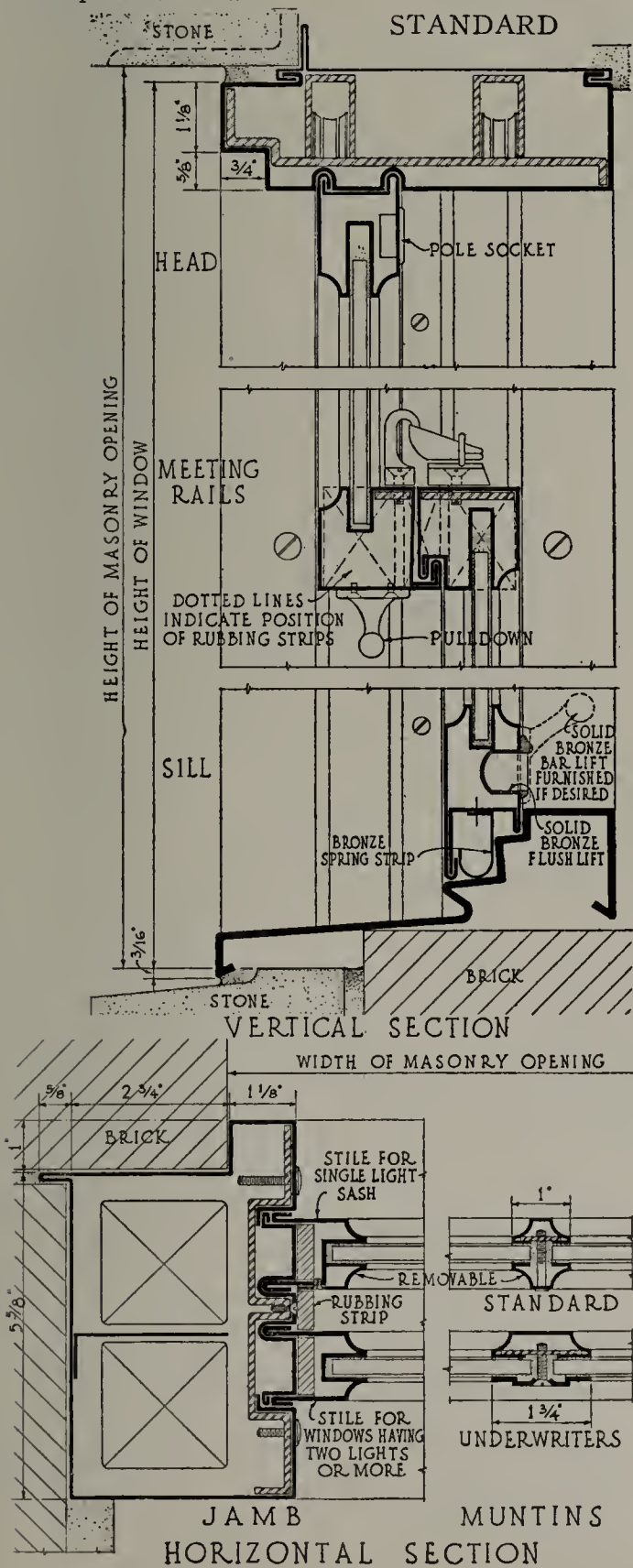


Fig. 1.

The window is manufactured at the plant of the applicant located in New York City. It is a hollow metal window, as shown in Figure 1, with the gauges of the component parts as follows:

Schedule of Materials

Member	Gauge	
	As Tested	As Now Made
Head	20 Galv.	18
Head Filler	22 "	22
Jamb	20 "	20
Sill	16 "	14
Upper & Lower Face Plates....	18 "	18
Head, Sill & Center Braces....	14 Black Iron	14
Dividing Strip	22 Galv.	22
Muntin Bars & Cross Rails....	22 "	20
Sash Stiles	20 "	18
Muntin Caps	18 "	18
Muntin Rein. Plates,		
Pulley Housing	14 Black Iron	14
Wedge Plate	14 Galv.	14
Wedges	16 "	16
Reinforcements for Single		
Light Sash	14 "	14
Pulley Housing Pl.	12 Black Iron	12

This window was subjected to a one-hour fire test at the Underwriters Laboratories Report No. R176 in 1924. Subsequent approvals have been issued to the applicant by the Underwriters as changes occurred which provided for the use of heavier gauge materials.

The original window tested was approximately 6 ft. wide by 10 ft. high and consisted of a hollow metal window frame with double hung sash and top hinged transom over the window. (The applicant tested the window in this manner with a transom so as to obtain approval of the transom as well and approval by the Underwriters provided for an optional transom). This window assembly was subjected to a fire test for one hour, during which a temperature of 1700° F. was reached. It was then subjected to a fire hose stream test. The results of this test are covered in the report filed with the application and the Underwriters approval was issued on the basis of this test, after the applicant modified several details of construction, as required by the Underwriters. The window as manufactured at present includes the recommended change as directed by the Underwriters whose inspection service checks each window for compliance.

On the basis of this test, the Committee recommends the approval of the Opening Protective Assembly described herein without transom and of the size as tested, 6 ft. wide by 10 ft. high, under C26-610.0 (10.1.18), C26-191.0 (2.2.3) and C26-178.0, b (2.1.2.5) of the Administrative Building Code and for use under the provisions of the Labor Law of the State of New York, wherever windows are required to be fireproof. The sizes of individual glass panes shall not exceed 720 sq. in. maximum exposed area or 54 in. vertically or 48 in. horizontally, which shall be of approved type. The muntin in Figure 1 marked "Underwriters" shall be used wherever such window is required to be fireproof. Each window shall be painted at the shop with at least one coat of approved galvanized steel priming paint. Nothing herein contained shall be deemed as waiving any requirement of the Labor Laws of New York State.

Before using, each window shall be inspected as required by the Inspection of Approved Opening Protective Assembly Rules of the Board of Standards and Appeals, after which a metal label with raised letters shall be affixed by riveting to the frame and reading as follows: "Approved by the Board of Standards and

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Appeals as a fireproof Opening Protective Assembly under Cal. No. 1137-39-SM."

(Sgd.) BERNARD A. SAVAGE
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Pomeroy "Standard Type" Hollow Metal Steel Double Hung Window Model M, on condition that the material be manufactured, installed, labelled, stamped or tagged in accordance with above report.

1170-39-SM.

APPLICANT—Clyde H. Baird, for Federal-American Cement Tile Co., owner.

SUBJECT — Federal-American Featherweight Nailing Concrete Roof Slab for use on floors and roofs—approval of.

APPEARANCES—

For Applicant: George E. Strehan.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1170-39-SM)

WHEREAS, Clyde H. Baird for Federal-American Cement Tile Co., owner, filed September 26, 1939, an application with the Board of Standards and Appeals for approval of the material known as Federal-American Featherweight Nailing Concrete Roof Slab for Use on Floors and Roofs; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 1170-39-SM

Subject: Federal - American Featherweight Nailing Concrete Roof Slab for Use on Floors and Roofs—approval.

Clyde H. Baird for Federal-American Cement Tile Co., owner, of 122 E. 42nd Street, New York City, and 608 South Dearborn St., Chicago, with plants at Hammond, Ind., Lincoln, N. J., Wampum, Pa., and Birmingham, Alabama, filed September 26, 1939, an application with the Board of Standards and Appeals for approval of the material known as Federal-American Featherweight Nailing Concrete Roof Slab for use in floors and roofs under the provisions of Sec. C26-618.0 (10.2.8) C26-625.0 (10.3.7) and C26-626.0 (10.3.8) Administrative Building Code.

MANUFACTURE

Featherweight Nailing Concrete Roof Slabs are manufactured with a base of 1 part of High Early Strength Portland Cement to 3¾ parts of aggregate proportioned of equal parts of Haydite and sand and with a 1¼ inch top finish of 1 part of Portland cement to 2 parts of cork and 3 parts of Haydite, poured with an internal vibrator to secure a dense homogeneous mix. The slabs are 2¾ inches thick for a 6 ft. 4 in. span center to center and 2½ inches thick for a 5 ft. 4 in. span center to center of supporting beams. The 2¾ inch slab is

reinforced with 18 No. 10 gauge longitudinal wires with ¾ inch protection and No. 17 gauge tie wires at 12 inches on centers. The 2½ inch slab is reinforced with 18 No. 11 gauge longitudinal wires also with ¾ inch protection, and No. 17 gauge cross wires at 12 inches on centers. To prevent breakage in handling, three additional No. 4 wires are installed ¾ in. from the top about 4 feet long and 3 No. 8 longitudinal wires at the bottom for the full length.

TESTING

Three specimens of each type of slab were tested to failure with Third-Point Loads applied through 2 inch bearings on a simple span at an age of 28 days. Following is a resume of the test results. The safe working load is taken as ¼ of the ultimate Third-Point Load distributed over the area of slab center to center of supports.

TYPE 2¾" NAILING SLAB

TEST 1

Clear Span	Wt. (Lbs.)	Area (Sq. Ft.)	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflection (Ins.)
6 ft. 0 in.	320	12.34	56	4.5	
6 ft. 4 in.	c. to c.		1766	143	¾
			2336	189	⅝
			3376	272	⅞

TEST 2

Clear Span	Wt. (Lbs.)	Area (Sq. Ft.)	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflection (Ins.)
	320		56	4.5	
			1196	97	¼
			2336	189	½
			3256	287	¾

TEST 3

Clear Span	Wt. (Lbs.)	Area (Sq. Ft.)	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflection (Ins.)
	318		56	4.5	
			626	51	⅛
			1766	143	⅝
			3286	266	⅞

Average Breaking Load..... 275 lbs. sq. ft.
Safe Working Load..... 70 lbs. sq. ft.
Deflection at Working Load..... ⅛ inch
General Failure in Concrete Compression Weight of Slab..... 23 lbs. sq. ft.

TYPE 2½" NAILING SLAB

TEST 1

Clear Span	Wt. (Lbs.)	Area (Sq. Ft.)	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflection (Ins.)
5 ft. 0 in.	239	10.34	56	5.5	
			1386	134	⅛
			1956	189	¾
			2246	217	

TEST 2

Clear Span	Wt. (Lbs.)	Area (Sq. Ft.)	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflection (Ins.)
	246		56	5.5	
			1196	115	⅛
			1856	179	¼
			2526	244	

TEST 3

Clear Span	Wt. (Lbs.)	Area (Sq. Ft.)	Total Load (Lbs.)	Sq. Ft. Load (Lbs.)	Deflection (Ins.)
	241		56	5.5	
			1956	189	¾
			2526	244	

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Average Breaking Load..... 235 lbs. sq. ft.
Safe Working Load..... 59 lbs. sq. ft.
Deflection at Working Load..... 1/16 inch
General Failure in Concrete Compression Weight of Slab..... 20 lbs. sq. ft.

On the basis of these tests, the committee recommends the approval of the slabs as listed below as meeting the requirements of C26-619.0 Administrative Code (10.3.1BC) for roofs of Class 1 and Class 2 construction where the fire protection covering is omitted from the roof trusses as provided in C26-618.0 Administrative Code (10.2.8 BC) under C26-620.0 C Administrative Code (10.3.2.3 subdiv. 2 BC) as the concrete top slab provided for therein under C26-670.0 Administrative Code (10.12.1 BC) as a floor or roof slab as provided for therein and under C26-626.0 Administrative Code (10.3.8 BC) simple spans under the following building conditions:

1. 2 3/4 in. Slabs with No. 10 g. Longitudinals and No. 17 gauge Cross Wires—Max. Span 6 ft. 4 in. Superimposed Load 70 lbs. sq. ft.
2. 2 1/2 in. Slabs with No. 11 g. Longitudinals and No. 17 gauge Cross Wires—Max. Span 5 ft. 4 in. Superimposed Load 89 lbs. sq. ft.

Span specified is center to center of supporting beams.

When nailing, concrete roof slabs are shipped at age of ten days or less, approved high early strength Portland cement shall be used.

The committee recommends further that care should be exercised to avoid undue concentration of loads and that precaution shall be taken to provide bearing on the steel and that all structural beams or purlins supporting these slabs shall be properly aligned and that cylinders of the Haydite concrete shall develop strength of at least 3000 p.s.i. at the end of 28 days; that each slab made for use under this approval be marked as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1170-39-SM," or in lieu thereof, a stamp bearing the following inscription within a circle: around the periphery at the top, the word "APP'VD", along the bottom B. S. & A; in the center two lines, upper line reading: N.Y.C., lower line reading: 1170-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Federal-American Nailing Concrete Roof Slab for use on Floors and Roofs, on condition that the material be manufactured, installed, labelled, stamped or tagged in accordance with above report.

Adjourned, 4:30 P. M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING

FRIDAY MORNING, OCTOBER 20, 1939

Present: Chairman Murdock, Commissioners Savage and Blum.

1139-39-SR.

SUBJECT—Proposed rules for inspection of approved opening protective assemblies.

APPEARANCES—

Rollin C. Bastress; William B. White; Joseph T. Quinn; George E. Strehan; A. J. Roos; R. S. Trainor; Alex Katz; E. F. Hartman; Joseph L. Hernon, and others.

ACTION OF BOARD—Rules adopted (See page 1545 of this Bulletin).

THE VOTE TO ADOPT RULES—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3
Negative 0
Absent: Assistant Chief Walsh 1

Adjourned: 11:00 A. M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on May 16, 1939, as they appeared in Bulletin No. 21, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(29-32-BZ)

WHEREAS, Louis Allmendinger, for William Winckelmann, owner, filed January 22, 1932, an application under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises: Southeast corner of Columbia avenue (67th street) and Queens boulevard (Block No. 1482, Lot No. 33), Winfield, Borough of Queens; and

WHEREAS, the application was granted by the board April 29, 1932, on certain conditions, resolution amended May 17, 1932, and present owner requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of April 29, 1932, as amended by resolution adopted May 17, 1932, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted on condition that the plot shall be levelled substantially to the grade of the surrounding streets; that the accessory building shall be located toward the southerly end of the premises and shall be used for office only; that there may be installed two open grease pits toward the southerly end; that the entire premises where not covered by accessory buildings shall be cement paved or surfaced with colprovia or other suitable impervious material; that there shall be erected on the southerly interior lot line, a substantial wall or fence not less than 6 feet in height except where building is constructed; that the entrances to the premises shall not exceed three, each not over 20 ft. in width; that no portion of any entrance shall be nearer than five (5) ft. from the interior lot lines as extended; that such curb cuts may be located as are indicated on plan marked 'Received March 4, 1939'; that any pumps erected shall be not nearer than 15 ft. to any street building line; that the sidewalks surrounding premises shall be cement paved and standard curbs shall be installed; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the gasoline pumps, excluding all temporary signs and roof signs, but permitting the erection of a post standard within the building line, supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line not more than 4 ft.; that no portable pumps shall be used or maintained on the premises; that no automobiles shall be stored or parked on the premises other than those

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being serviced; that no automobile repairing shall be carried on; that the construction of the accessory building shall be in accordance with the plans submitted to the Board dated *January 20, 1933*."

* Correction—The word "*southerly*" added in line 28, "*lines*" changed to "*line*" in line 29, and words "*except where building is constructed*" added in line 30, and date "*May 10, 1932*" changed to "*January 20, 1933*" in last line of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on October 3, 1939, as they appeared in Bulletin No. 41, Vol. 24, are hereby corrected to read as follows:

THE RESOLUTION—

(983-39-A)

WHEREAS, Sperry Gyroscope Co., Inc., lessee, for Gair Realty Corporation, owner, filed July 19, 1939, an appeal from an order of the fire commissioner, affecting premises 40-58 Washington street, 35-53 Main street, 73-95 Front street, 88-110 Water street (9th floor, Bldg. No. 6), (Block No. 37, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 80475-LC, dated June 26, 1939, reads:

"1. Reduce the storage of gasoline on 9th floor to not more than 5 gallons, to be stored in an approved safety can. C19-51.0-b-5, OR

Provide an approved underground storage system for the storage of volatile inflammable oil, (gasoline). Plans and specifications to be filed with the Department of Housing and Buildings. Installation to be supervised and tank tested by a representative of the Division of Combustibles. C19-51.0."

and

WHEREAS, the building is 12 stories (168 ft.) in height, 199 ft. by 245 ft. and 200 ft. by 242 ft. 6 in. in area, of fireproof construction, located in an unrestricted use district, erected in 1913 and occupied: basement—storage of boards—2 persons; 1st floor—public space; 2nd floor—vacant; 3rd floor—printing—50 persons; 4th floor—storage of printed forms in steel cabinets—20 persons; 5th floor—same—2 per-

sons; 6th floor—manufacture of mirrors—20 persons; 7th floor—printing—7 persons; 8th floor—manufacture of paper specialties—4 persons; 9th and 10th floors—testing motor units and search lights—80 persons; and

WHEREAS, the applicant contends that the 9th and 10th floors are used for assembling and testing of apparatus of a confidential nature for the Army and Navy; that government contracts stipulate that the apparatus be tested, and that as part of the test motor units connected with high power searchlights are tested; as these motors are gasoline driven, it is necessary to store gasoline on the premises; that 5 gallons of gasoline is required for each unit; that the gasoline will be stored in a vault constructed of fireproof materials, approximately 14 ft. by 20 ft. in area, equipped with a fireproof door and a 12 inch vent pipe leading to the outer air and thence to the roof; that the storage room is equipped with vaporproof lights and a vaporproof switch, as shown on plans filed with this appeal; that the gasoline is stored in two 55 gallon drums and syphoned directly from the drum under air pressure to a 50 gallon portable tank and then transported to the motor units to be tested; that it would be impractical to comply with the order, as it would necessitate carrying the suction and return lines to the 9th story through portions of the building leased to other tenants.

Resolved, that the order of the fire commissioner, No. 80475-LC, be and it hereby is *modified* and that the appeal be and it hereby is granted, permitting the storage of not over two 55 gallon drums of gasoline, provided same are used solely for purposes as set forth and are stored in a fireproof storage room to be constructed as proposed; that a vent *duct* leading from such room to the outer air and above the roof shall be provided with a wind-driven ventilator at the top; that gasoline taken from these drums for the purpose of testing units, shall be placed in an approved portable tank or approved 5 gallon safety cans; that such filling shall be by means of hand pump attached to the drum, such *pump* to be as approved for such use by the Underwriters Laboratories of the Factories Association Mutual Laboratories.

* Correction—The word "*pipe*" changed to "*duct*" in line 57 of resolution and the word "*drum*" changed to "*pump*" in line 63 of resolution.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939.

(1139-39-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Building Code (2.2.1.1) and C26-610.0 Administrative Building Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Building Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Building Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough

Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9 (7.2.3.1 to 7.2.3.9 inclusive).

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labels.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair tread, constructed of bars at least one-half ($\frac{1}{2}$) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half ($1\frac{1}{2}$) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under Section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto:

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect,

unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fire escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways, serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible, no sprinkler	Contents combustible, and sprinkler	Contents non-combustible and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which is more than 50 per cent above the floor below and the floor next above the curb or average grade level.

Where the stairways extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of the roof.

Where the stairway is required to extend to the roof, the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvres or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

RULES

The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire-resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.

Volatile inflammable oils, 1 gallon.

Volatile inflammable mixtures, 5 gallons.

Combustible mixtures, 10 gallons.

Paints, varnishes and lacquers, 10 gallons.

Upholstering or mattresses, manufacturing or repairing.

Cotton, rag and paper sorting, 1 ton.

Paper box manufacturing.

Restaurant's and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupancies as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

1. Required Exits.—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill is more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof, except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways.—In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in Rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system, in which case such enclosure of stairways shall not be required. Such enclosures shall lead directly to a door opening out-

wardly to a street or road, or an open area affording unobstructed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover.

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

RULES

In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire grills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law or

rules of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways.—Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly pointed, exits thereto and all platforms and passageways thereof shall be maintained unobstructed, and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these substandard exits.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 44

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to October 24, 1939

Cal. No. Department Premises Affected

1290-39-A.....H.B.B.....883 Eastern parkway, north side,
87 ft. east of Albany avenue
(Block No. 1388, Lot No. 74),
Borough of Brooklyn,
Decision re Alt. 840-39.

1291-39-A.....F.D.....92 William street and 34-38 Platt
street, southeast corner (Block
No. 68, Lot No. 22), Borough
of Manhattan, Decision.

1292-39-A.....F.D.....43-10 21st street, southwest cor-
ner of 43rd avenue (Block
No. 442, Lot No. 18), Long
Island City, Borough of
Queens, Decisions re 3148-L.F.

1293-39-BZ.....H.B.B.....1401-1407 Avenue M and 1402-
1406 Chestnut avenue, north-
east corner (Block No. 6735,
Lot No. 121), Borough of
Brooklyn, B.N. 6833-39.

1294-39-BZ.....H.B.B.....112-114 Flatbush avenue exten-
sion and 138-140 Tillary street,
southwest corner (Block No.
132, Lot No. 14), Borough of
Brooklyn, Alt. 2716-39.

1295-39-SM.....Robertson Steel Roof Deck, man-
ufactured by H. H. Robertson
Company, Material.

1296-39-A.....H.B.Q.....Northwest corner of 69th place
and 60th street (Block No.
2831, part of Lot No. 1),
Maspeth, Borough of Queens,
Decision, Corr. 956-39 and
N.B. 5881-39 to N.B. 5895-
39.

1297-39-A.....H.B.B.....176 East 19th street, west side,
150 ft. north of Beverly road
(Block No. 5122, Lot No. 30),
Borough of Brooklyn,
Alt. 4257-39.

1298-39-A.....F.D.....361 Stagg street and 195 Morgan
avenue, northwest corner
(Block No. 3029, Lot No. 65),
Borough of Brooklyn,
Decision re 79918-L.C.

1299-39-SM.....Tilecrete (reinforced concrete
construction for floors and
ceilings), manufactured by
Tilecrete Floors, Material.

1300-39-A.....H.B.Q.....84-05 78th avenue, northeast cor-
ner 84th street (Block No.
3840, Lot No. 24), East Glen-
dale, Borough of Queens,
N.B. 7923-39.

1301-39-A.....F.D.....Northeast corner of Maspeth
avenue and Varick avenue
(Block No. 2838, Lot No. 1),
Borough of Brooklyn,
Decision.

1302-39-A.....H.B.B.....17 Stryker court, north side,
114.7 ft. east of Stryker street
(Block No. 7174, Lot No. 25),
Borough of Brooklyn,
Alt. 4098-39.

1303-39-A.....H.B.B.....42 Floyd street, south side, 390
ft. east of Nostrand avenue
(Block No. 1742, Lot No. 24),
Borough of Brooklyn,
Decision re Alt. 4172-39
and Certificate of Occu-
pancy 84031.

1304-39-SM.....Cinder "RS" Floor Construction,
manufactured by Rolf Sahl-
berg, Material.

1305-39-SM.....Florcrete "RS" Floor Construc-
tion, manufactured by Rolf
Sahlberg, Material.

1306-39-A.....H.B.Q.....623 Beach 19th street, west side,
347 ft. south of Cornaga ave-
nue and 702 Beach 20th street
(Block No. 85, Lot Nos. 1
and 34), Far Rockaway, Bor-
ough of Queens,
N.B. 7793-39 and N.B.
7794-39.

1307-39-BZ....H.B.M.....332-344 West 44th street, south
side, 250 ft. east of Ninth ave-
nue (Block No. 1034, Lot
Nos. 48, 49 and 53), Borough
of Manhattan,
Drop Curb Applic. 231-39.

1308-39-BZ..H.B.Q.....32-14 31st street, west side, 130
ft. south of Broadway (Block
No. 587, Lot No. 43), Astoria,
Borough of Queens,
Misc. Applic. 7262-39.

Restored to Calendar

244-39-BZ.....H.B.M.....163-165 West 57th street, north
side, 104 ft. 2 in. east of Sev-
enth avenue (Block No. 1010,
Lot No. 5), Borough of Man-
hattan, Alt. 372-39.

979-24-BZ.....H.B.B.....6914-6932 Fourth avenue, north
west corner of Ovington ave-
nue (Block No. 5872, Lot No.
47), Borough of Brooklyn,
Alt. 4192-39.

1063-27-BZ....H.B.Q.....149-12 North Conduit boulevard
and 133-44 150th street (Three
Mile road), northwest corner
(Block No. 2893, Lot No.
1A), Jamaica, Borough of
Queens, Misc. Applic. 6748-39.

372-29-BZ.....H.B.Bx.....2330 Grand Concourse, east side,
150 ft. south of Field place
and 2329 Ryer avenue (Block
No. 3159, Lot No. 12), Bor-
ough of The Bronx,
Alt. 609-39.

1018-38-BZ...H.B.M.....3740 Broadway, northeast corner
of West 155th street (Block
No. 2114, Lot No. 1), Bor-
ough of Manhattan, Decision.

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76-37-BZ.....H.B.B.....601-611 Livonia avenue, north-east corner of Sheffield avenue (Block No. 3805, Lot No. 1), Borough of Brooklyn, Applic. 1135-37.

814-28-BZ.....H.B.B.....796-802 Metropolitan avenue, and 2-10 Bushwick avenue, south-west corner (Block No. 2766, Lot Nos. 11 and 14), Borough of Brooklyn, Applic. 1448-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

COURT DECISIONS

Matter of Coffey (Murdock)—On May 10, 1938, Board denied application for temporary permit for parking and storage of more than five (5) motor vehicles, under section 7-H, Cal. No. 60-37-BZ, at premises, in business district, No. 32-05 Newtown avenue, northwest corner of 33rd street, Astoria, Queens. Mr. Justice Kadien dismissed certiorari (N.Y.L.J. Aug. 24, 1939).

In re Aberdeen Garage, Inc. (Murdock)—On October 4, 1938, Board denied extension of existing garage (previously granted by Board) to include—on adjoining premises subsequently purchased—new ramp, gasoline station, lubritorium, minor repairs, and brake service, under section 21, at premises 2181-2191 Jerome avenue, Borough of The Bronx. Mr. Justice McGeehan reversed the Board (N.Y.L.J. May 31, 1939). Appellate Division unanimously reversed Special Term and confirmed determination of Board (N.Y.L.J. Oct. 28, 1939).

Fortuna vs. Murdock—On April 5, 1938, board granted gasoline station, partly in business and partly in residence district, under section 21, Cal. No. 429-37-BZ, at premises 47-11 108th street, northeast corner 48th avenue, Corona, Borough of Queens, where there existed a legal non-conforming use, namely, stables, considering the gasoline station a vast improvement over the stables, although that too would be a non-conforming use. Mr. Justice Furman sustained board and stated that the "application (for certiorari) had no merit whatever." (N.Y.L.J., Nov. 23, 1938.)

Appellate Division, 2nd Dept., reversed order of Special Term and board on the ground that practical difficulty and unnecessary hardship were not proved as judicially construed. (N.Y.L.J., June 28, 1939.)

NOTE: The gist of the Appellate Division decision appears to be that the board cannot consider an existing non-conforming use as an element of hardship where it is desired to substitute another and new non-conforming use. Court of Appeals affirmed order of Appellate Division, reversing board (N.Y.L.J., Oct. 31, 1939).

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OCTOBER 31, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 31, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1222-38-BZ—Application, December 30, 1938, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Louis Caner, owner, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores); premises 794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

CAL. NO. 794-39-BZ—Application, June 14, 1939, under section 21 of the building zone resolution, of Mayers, Murray and Phillip, applicants, on behalf of Seamen's Bank for Savings, owner, to permit in a residence use district, the erection and maintenance of an electrically illuminated sign; premises 314 West 49th street, south side, 250 ft. west of Eighth avenue and 319-335 West 48th street (Block No. 1039, Lot Nos. 43 and 17), Borough of Manhattan.

CAL. NO. 933-38-BZ—Application, October 11, 1938, under section 7h of the building zone resolution, of George E. McCoy, applicant and lessee, on behalf of Pennsylvania Railroad Company, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 234-

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236 West 31st street, south side, 400 ft. west of Seventh avenue (Block No. 780, Lot No. 60), Borough of Manhattan.

CAL. NO. 704-39-BZ—Application, May 27, 1939, under section 7h of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Caroline Candidus and Estate of Charles Doscher, owners (Harry Weissler, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 698-720 Livonia avenue, south side, between Wyona street and Bradford street, 552-562 Bradford street and 545-555 Wyona street (Block No. 3826, Lot Nos. 21 and 27), Borough of Brooklyn.

CAL. NO. 846-39-BZ—Application, June 23, 1939, under sections 7h and 21 of the building zone resolution, of Amend and Amend, applicants, on behalf of Central Savings Bank in the City of New York, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises South side of East 162nd street, 100 ft. west of Sheridan avenue (Block No. 2460, Lot No. 10), Borough of The Bronx.

CAL. NO. 458-39-BZ—Application, April 6, 1939, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Chassen Bros., owner, to permit in a residence use district, the alteration and conversion of a stable to a bakery; premises 60-17 to 60-25 68th road, north side, 165 ft. east of 60th street and 60-18 to 60-20 68th avenue (Block No. 3513, Lot Nos. 20, 50 and 52), Ridgewood, Borough of Queens.

CAL. NO. 1023-38-BZ—Application, November 15, 1938, under sections 7h and 21 of the building zone resolution, of Catherine Godfrey, applicant and lessee, on behalf of Leonora Brown, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 168-30 89th avenue, southeast corner of 168th place (Block No. 9801, part of Lot No. 51), Jamaica, Borough of Queens.

CAL. NO. 1092-38-BZ—Application of James J. Millman, applicant, on behalf of Sambern Realty Corporation, owner, reopened under new facts May 23, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles, limited to tenants of adjoining apartment

houses only (previously denied re public parking lot); premises 167-01 to 167-19 Depot road, north side, entire block, between 167th street and 168th street, 36-27 to 36-39 167th street and 36-34 to 36-42 168th street (Block No. 5294, Lot No. 1 and part of Lot No. 6), Flushing, Borough of Queens.

CAL. NO. 98-39-BZ—Application, January 24, 1939, under section 21 of the building zone resolution, of James A. Pietsch, applicant, on behalf of Kathryn S. Cooke, owner, to permit in a residence use district, the maintenance of garage space for more than three (3) motor vehicles; premises 205-209 Hart boulevard, east side, 343 ft. south of Forest avenue (Block No. 250, Lot No. 89), West New Brighton, Borough of Richmond.
HARRIS H. MURDOCK, *Chairman.*

OCTOBER 31, 1939, 2 P. M.

Appeals from Administrative Decisions

- 697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.
- 696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.
- 925-39-A—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.
- 1159-39-A—176-01 (also known as 175-02) Baisley boulevard, east side, intersection of Baisley boulevard, Irwin place and 120th avenue (Block No. 3180, Lot No. 1), St. Albans, Borough of Queens.

NOVEMBER 8, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 8, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 766-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Oliver Reagan, applicant, on behalf of Estate of Erskine Hewitt, owner (Norvin H. Green, executor), to permit in a residence use district, the alteration and change of occupancy of an existing building (private stable and dwelling) to office use and dwelling; premises 144 East 39th street, south side, 197 ft. east of Lexington avenue (Block No. 894, Lot No. 56), Borough of Manhattan.

CAL. NO. 836-39-BZ—Application, June 21, 1939, under section 21 of the building zone resolution, of Isidore Wolsk, applicant, on behalf of Gotham Equities Corporation, owner, to permit in a business use district,

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the erection and maintenance of a gasoline service station; premises 1793-1799 Eastern parkway, north side, 68.4 ft. west of Dean street and 2348-2354 Dean street (Block No. 1449, Lot Nos. 19 and 21), Borough of Brooklyn.

CAL. NO. 1093-39-BZ—Application, August 17, 1939, under section 21 of the building zone resolution, of Lockwood Greene Engineers, Inc., applicant, on behalf of News Syndicate, Inc., owner, to permit in an unrestricted use district and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building; said extension not conforming with the "B" area requirements of the building zone resolution; premises 684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28, inclusive), Borough of Brooklyn.

CAL. NO. 1056-39-BZ—Application, August 21, 1939, under section 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of 511 Faile Street Corporation, owner, to permit in a business use district, the erection and maintenance of an iron or steel works; premises East side of Faile street, 200 ft. north of Oak Point avenue (Block No. 2769, Lot Nos. 38-41), Borough of The Bronx.

CAL. NO. 59-39-BZ—Application, January 16, 1939, under section 21 of the building zone resolution, of A. L. Marinelli, applicant, on behalf of Joseph Di Blasi, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 113-01 Northern boulevard, northeast corner of 112th place (Block No. 1707, Lot No. 38), Corona, Borough of Queens.

CAL. NO. 295-39-BZ—Application, March 8, 1939, under sections 7b, 7c and 21 of the building zone resolution, of Louis Danancher, applicant, on behalf of Morris Manes, owner, to permit partly in a business use district and partly in a residence use district, the maintenance of an extension to a business building; premises 113-19 Jamaica avenue, north side, 25 ft. west of 114th street (Block No. 4227, Lot No. 77), Richmond Hill, Borough of Queens.

CAL. NO. 103-31-BZ—Application Lama and Proskauer, applicants, on behalf of Aljac Garage and Repair Shop, Inc., owner, reopened February 28, 1939, under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station (previously granted by the board re garage for more than five (5) motor vehicles); premises 124-17 Metropolitan avenue, north side, 20.68 ft. east of 124th place (Block No. 9243, Lot Nos. 185, 189 and 318), Richmond Hill, Borough of Queens.

CAL. NO. 703-38-BZ—Application, August 8, 1939, under section 7h of the building zone resolution, of Alice M. Johnston, applicant, on behalf of J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners (Charles Miller, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.

CAL. NO. 585-39-BZ—Application, May 8, 1939, under sections 7a and 21 of the building zone resolution, of Vincent Schiliro, applicant, on behalf of Mary Schnappauf, owner, to permit in a residence use district, the erection and maintenance of a building to be used as a garage (not accessory to the dwelling on the same lot) and, also, for the storage of bottled beverages; premises 70-20 72nd street, west side, 250 ft. north of Central avenue (Block No. 3663, Lot Nos. 18 and 19), Glendale, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 8, 1939, 2 P. M.

Appeals from Administrative Decisions

1237-39-A—679-723 Court street, southeast corner of Bryant street (Block No. 624, Lot No. 1), Borough of Brooklyn.

1037-39-A—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1119-39-A—58-64 Clay street, south side, 116 ft. 8 in. west of Manhattan avenue and 1109-1113 Manhattan avenue (Block No. 2487, Lot No. 34), Borough of Brooklyn.

981-39-A—87 34th street, northwest corner of Third avenue (Block No. 683, Lot No. 1), Borough of Brooklyn.

1301-39-A—Northeast corner of Maspeth avenue and Varick avenue (Block No. 2838, Lot No. 1), Borough of Brooklyn.

1291-39-A—92 William street and 34-38 Platt street, southeast corner (Block No. 68, Lot No. 22), Borough of Manhattan.

702-39-A—746-750 Broadway and 7 Astor place, northeast corner (Block No. 545, Lot No. 59), Borough of Manhattan.

1265-39-A—825-829 First avenue and 351-353 East 46th street, northwest corner (Block No. 1339, Lot Nos. 22½ to 25, inclusive), Borough of Manhattan.

1271-39-A—11-25 Madison avenue and 38-60 East 25th street, southeast corner (Block No. 854, Lot Nos. 1 to 41, inclusive), Borough of Manhattan.

1284-39-A—103-27 Lefferts boulevard, east side, 260 ft. south of 103rd avenue (Block No. 9557, Lot No. 55), Morris Park, Borough of Queens.

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1251-39-A—142-02 to 142-10 Lansing avenue, southwest corner of South Conduit avenue (Block No. 4822, Lot No. 106), Laurelton, Borough of Queens.

1254-39-A—67-46 to 67-52 Myrtle avenue and 302-306 68th street, southwest corner (Block No. 3702, Lot No. 25), Glendale, Borough of Queens.

1005-39-A—22-71 33rd street, east side, 76 ft. 2 $\frac{3}{8}$ in. north of 23rd avenue and 33-09 23rd avenue (Block No. 832, Lot No. 2), Astoria, Borough of Queens.

1253-39-A—159-01 Hillside avenue, northeast corner of Parsons boulevard (Block No. 342, Lot No. 1), Jamaica, Borough of Queens.

1257-39-A—60-94 69th avenue, southeast side, 400 ft. northeast of 60th lane (Block No. 3536, Lot No. 21), Ridgewood, Borough of Queens.

1338-39-A—Plot bounded on the north by East Tremont avenue, on the east by Purdy street, Odell street, Raymond avenue, Olmstead avenue, on the south by McGraw avenue, Metropolitan avenue, Hugh J. Grant Circle, on the west by Virginia avenue, Wood avenue (approximately 100 ft. east of White Plains road), Guerlian street and Unionport road (Block No. 3938, Lot No. 1); (Metropolitan Life Insurance Company Housing Project No. 2), Borough of The Bronx.

Variations of the Labor Law

1233-39-S—422 Fulton street, north side, 93 ft. west of Hoyt street (East Building); (Block No. 156, part of Lot No. 1), Borough of Brooklyn.

1246-39-S—2-8 West 46th street, south side, 100 ft. west of Fifth avenue (Block No. 1261, Lot No. 42), Borough of Manhattan.

1255-39-S—164 Madison avenue, west side, 49 ft. 4 $\frac{1}{2}$ in. south of East 33rd street (Block No. 862, Lot No. 56), Borough of Manhattan.

1353-39-S—727-729 Fifth avenue, southeast corner of East 57th street (Block No. 1292, Lot No. 66), Borough of Manhattan.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, November 8, 1939*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 737-39-BZ—Application, June 3, 1939, under section 7h of the building zone resolution, of Murray Klein, applicant, on behalf of Hein-Nolan Realty Co., Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-125 Bayard street and 441-463 Manhattan avenue, northwest corner (Block No. 2718, Lot No. 14), Borough of Brooklyn.

CAL. NO. 1024-27-BZ—Application of Herman Kron, applicant, on behalf of La Salle Garage,

Inc., owner, reopened October 17, 1939, re amendment of resolution—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 1650-1664 Jerome avenue and 1-9 East 174th street, northeast corner (Block No. 2848, Lot No. 1), Borough of The Bronx.

HARRIS H. MURDOCK. *Chairman.*

NOVEMBER 14, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 14, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 479-39-BZ—Application, April 17, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Board of Transportation, City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 209 East Houston street, southeast corner of Ludlow street and 167-179 Essex street, west side, 100 ft. south of East Houston street (Block No. 412, Lot No. 53), Borough of Manhattan.

CAL. NO. 539-39-BZ—Application, April 28, 1939, under section 7h of the building zone resolution, of Albert Homer Swanke, applicant, on behalf of Louis H. Pink, Superintendent of Insurance of the State of New York, as Liquidator of the Lawyers Title and Guaranty Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1455-1465 Madison avenue, east side, from East 100th street to East 101st street, 51 East 100th street and 48-50 East 101st street (Block No. 1606, Lot Nos. 20, 21, 24, 49, 50, 51, 52 and 53), Borough of Manhattan.

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CAL. NO. 1098-39-BZ—Application, September 1, 1939, under sections 7b and 7c of the building zone resolution, of LeRoy P. Ward, applicant, on behalf of Society of Illustrators, Inc., owner, to permit partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of an existing building to a club and business use; premises 128 East 63rd street, south side, 80 ft. west of Lexington avenue (Block No. 1397, Lot No. 60), Borough of Manhattan.

CAL. NO. 667-39-BZ—Application, May 22, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Louis Kliegman, owner (Theodore Tannor, lessee), to permit in a business use district, the extension of an accessory building located on an existing gasoline service station; premises 928-932 Stone avenue, northwest corner of Linden boulevard (Block No. 3639, Lot No. 1), Borough of Brooklyn.

CAL. NO. 52-16-BZ—Application of John Thatcher and Son, Inc., and Wingate and Cullen, applicants, on behalf of Annie McDonald, owner (William Levine, lessee), reopened June 13, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, a motor vehicle repair shop; said building on same street with public school (permission to erect the building as a garage previously granted by the board); premises 761 Park avenue, north side, 90 ft. east of Rogers avenue (Block No. 1233, Lot No. 81), Borough of Brooklyn.

CAL. NO. 1013-38-BZ—Application, November 10, 1938, under section 7h of the building zone resolution, of John Beveridge, applicant and lessee, on behalf of Jesse Knight, Edith Howells, Daisy Howells, American Savings Bank, Ernest Hoehn and Union Dime Savings Bank, owners, to permit in a business use district, the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution; dismissal action rescinded and application restored to calendar); premises 1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21 to 25, inclusive), Borough of Manhattan.

CAL. NO. 413-39-BZ—Application, March 30, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of New York Rapid Transit Corporation and Brooklyn-Manhattan Transit Company, owners (Gulf Oil Corporation, lessee), to permit partly in a business use district and partly in a residence use district, the extension of a gasoline service sta-

tion; premises 464-484 Flatbush avenue and 1-33 Ocean avenue, southwest corner (Block No. 5024, part of Lot Nos. 28 and 37), Borough of Brooklyn.

CAL. NO. 552-39-BZ—Application, May 3, 1939, under section 21 of the building zone resolution, of Bernhardt T. Berman, applicant, on behalf of Elias Goldberg, owner, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1028-1030 Utica avenue, west side, 100 ft. south of Tilden avenue (Block No. 4734, Lot No. 11), Borough of Brooklyn.

CAL. NO. 1203-39-BZ—Application, September 29, 1939, under section 7c of the building zone resolution, of Edwin W. Kleinert and A. Stanely Miller, applicants, on behalf of Security Construction Company, owner, to permit the erection of a business building (stores), extending from a business use district into a residence use district; premises 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-0, 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens.

Appeal from Administrative Decision

1046-39-A—69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-01 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens (Under Section 35, General City Law re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 14, 1939, 2 P. M.

Appeal from Administrative Decision

1058-39-A—24 First avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 14, 1939, at 2 o'clock*, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 77-33-BZ—Application of Martin C. Epstein, applicant, on behalf of Matilda Kessel, Administratrix of Estate of Vincent J. Repaci, owner, reopened October 17, 1939, re extension of permit—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period; premises southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

NOVEMBER 21, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 21, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 982-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of Chapmald Realty Corporation, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 406-420 West 55th street, south side, 100 ft. west of Ninth avenue (Block No. 1064, Lot Nos. 37 to 42, inclusive), Borough of Manhattan.

CAL. NO. 1091-39-BZ—Application, September 5, 1939, under sections 7h and 21 of the building zone resolution, of Thomas W. Lamb, Inc., applicant, on behalf of Sixth Avenue and 44th Street Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1120-1136 Sixth avenue, east side, entire block from West 43rd street to West 44th street (Block No. 1259, Lot No. 1), Borough of Manhattan.

CAL. NO. 1138-38-BZ—Application, December 8, 1938, under sections 7e and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Elsie Maresca and Mary Maresca, owners, to permit in a business use district, the conversion of occupancy of a building occupied as auto laundry, stores, battery service and storage for five (5) motor vehicles to auto laundry, grease pits, motor vehicle repair shop and storage for more than five (5) motor vehicles; premises 2637-2645 Webster avenue, west side, 130.60 ft. north of East 194th street (Block No. 3277, Lot No. 41), Borough of The Bronx.

CAL. NO. 68-39-BZ—Application, January 18, 1939, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of B. S. and B. Co., Inc., owner (Thomas Viola, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2963-2965 Webster avenue, west side, 125 ft. north of Bedford Park boulevard (Block No. 3280, Lot No. 58), Borough of The Bronx.

CAL. NO. 1094-39-BZ—Application, August 23, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Sheffield Farms Company, Inc., applicant and owner, to

permit partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 52-02 Flushing avenue, south side, 106 ft. west of Sophie street and 52-15 Metropolitan avenue (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

CAL. NO. 212-34-BZ—Application of Michael Marlo, applicant, on behalf of Carmelo Oddo, owner (Michael Monterosa, lessee), reopened June 20, 1939, under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station; said gasoline station was previously granted by the Board for a temporary period; premises 1709 Neptune avenue and 2760-2770 Cropsey avenue, northwest corner (Block No. 6994, Lot Nos. 97 and 99), Borough of Brooklyn.

CAL. NO. 813-39-BZ—Application, June 19, 1939, under section 21 of the building zone resolution, of Wood and Marshall, applicants, on behalf of Samuel H. Baylis, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 120-43 to 120-45 Farmers boulevard, northeast corner of 121st (Arthur) avenue (Block No. 3362, Lot No. 1), St. Albans, Borough of Queens.

CAL. NO. 1025-39-BZ—Application, August 7, 1939, under section 21 of the building zone resolution, of Frank J. Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

CAL. NO. 1018-38-BZ—Application of John F. Meehan, applicant, on behalf of The Rector, Church Wardens and Vestrymen of Trinity Church in the City of New York, owner (Caswell Motor Company, lessee), reopened October 24, 1939 re extension of time to complete work—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3740 Broadway, northeast corner of West 155th street (Block No. 2114, Lot No. 1), Borough of Manhattan.

CAL. NO. 76-37-BZ—Application of Edwin H. Snackenberg, applicant, on behalf of Albert Edelman, owner, reopened October 24, 1939 re extension of term of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use

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district, the parking of more than five (5) motor vehicles for a temporary period; premises 601-611 Livonia avenue, northeast corner of Sheffield avenue (Block No. 3805, Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 21, 1939, 2 P. M.

Appeal from Administrative Decision

1219-39-A—440 East 102nd street, southwest corner of East River drive (Block No. 1695, Lot No. 25), Borough of Manhattan.

NOVEMBER 28, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 28, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 742-38-BZ—Application, August 25, 1938, under section 21 of the building zone resolution of George Goodstein, applicant on behalf of Leon W. McKeon, owner, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment, dwelling and two (2) car garage; premises 3129 Perry avenue, west side, 110 ft. north of 204th street (Block No. 3341, Lot Nos. 26 and 27), Borough of The Bronx.

CAL. NO. 763-39-BZ—Application, June 9, 1939, under section 7a of the building zone resolution, of Frank E. Wall, applicant on behalf of J. W. Schneider, owner, to permit in a business use district, the extension of an existing gasoline service station and also the erection of a new accessory building; premises 22-24 Jewett avenue, west side, 92.57 ft. south of Bennett street (Block No. 1012, Lot No. 84), Port Richmond, Borough of Richmond.

CAL. NO. 856-39-BZ—Application, June 26, 1939, under sections 7a and 21 of the building zone resolution, of Frank E. Wall, applicant, on behalf of Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station; premises 823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

CAL. NO. 904-39-BZ—Application, July 5, 1939, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Julia V. Delany, owner, to permit in a residence use district the extension of an existing garage for more than five (5) motor vehicles, said garage is lo-

cated on the same street between two (2) intersecting streets as a school; premises 595-597 Quincy street, north side, 200 ft. east of Lewis avenue (Block No. 1625, Lot No. 73), Borough of Brooklyn.

CAL. NO. 1142-39-BZ—Application, September 19, 1939, under section 21 of the building zone resolution, of Joel D. Marder, applicant, on behalf of Manhattan Storage and Warehouse, owner, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 140-146 West 53rd street, south side, 225 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 53-55), Borough of Manhattan.

CAL. NO. 1153-39-BZ—Application, September 20, 1939, under sections 7c and 21 of the building zone resolution, of Edgar J. Moeller, applicant, on behalf of Remsenburg Realty Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store); premises 1522-1526 Kings Highway, southwest corner of East 16th street (Block No. 6798, part of Lot No. 42), Borough of Brooklyn.

CAL. NO. 1313-39-BZ—Application, October 25, 1939, under sections 7a and 21 of the building zone resolution, of Aymar Embury II, applicant, on behalf of Queens County Jockey Club, owner, to permit in a residence use district, the erection of two (2) buildings, the alteration and extension in area of two (2) buildings and the relocation of three (3) buildings existing on the premises. Each of the five (5) buildings involved, to be used as stables for more than five (5) horses as accessories to the Jockey Club (Race Track) on the premises; premises north side of North Conduit avenue between 135th and 150th avenues (Block No. 2317, Lot No. 1, Block No. 2318, Lot No. 2, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens.

Appeal from Administrative Decision

1314-39-A—North side of North Conduit avenue, between 135th avenue and 150th avenue (Block No. 2317, Lot No. 1, Block No. 2318, Lot No. 1, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens (Under Section 35, General City Law re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 28, 1939, 2 P. M.

Appeals from Administrative Decisions

1041-39-A—Southeast corner of Twiggs place and Fifth street (Block No. 5517, Lot No. 101), Park of Edgewater, Borough of The Bronx (Under Section 35, General City Law re: Bed of Mapped Street).

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1288-39-A—Pequot road and 88th street, 851.49 ft. west of west side of 88th street and 617.42 ft. south of Cooper avenue (Block No. 3810, Lot No. 275), Glendale, Borough of Queens (Under Section 36, General City Law).

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law).

DECEMBER 5, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 5, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 310-39-BZ—Application, March 13, 1939, under sections 7h and 21 of the building zone resolution, of Alexander Ketterson, applicant, on behalf of Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

CAL. NO. 657-39-BZ—Application, May 19, 1939, under sections 7c and 21 of the building zone resolution, of Frank Verdi, applicant, on behalf of Henry A. Thelluson, Receiver (George and F. J. Verdi, lessees), to permit in a residence use district and, also, on a street between two (2) intersecting streets in which portion there exists an exit and an entrance to a public school, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles; premises 353-355 West 48th street, north side, 204 ft. east of Ninth avenue (Block No. 1039, Lot No. 9), Borough of Manhattan.

CAL. NO. 1054-39-BZ—Application, August 18, 1939, under section 7a of the building zone resolution, of Richard Shutkind, applicant, on behalf of 318 West 47th Street Corporation, owner, to permit in a residence use district, the extension of an existing business use; premises 318 West 47th street, south side, 275 ft. west of Eighth avenue (Block No. 1037, Lot No. 44), Borough of Manhattan.

CAL. NO. 868-39-BZ—Application, June 27, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Irving Palmer, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 3826-3830 Kings Highway and 1241-1245 Ryder street, southeast corner (Block No. 7817, Lot No. 34), Borough of Brooklyn.

CAL. NO. 326-36-BZ—Application of Interborough Engineering Company, applicant, on behalf of Giuseppe Montemorano, owner, reopened June 27, 1939 under new facts, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied); premises 961-965 Fourth avenue and 402-412 37th street, southeast corner (Block No. 701, Lot No. 8), Borough of Brooklyn.

CAL. NO. 597-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Inc., owner, to permit in a business use district, the alteration and extension of an existing gasoline service station; premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block No. 9751, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 724-39-BZ—Application, May 31, 1939, under section 7c of the building zone resolution, of Joseph P. Powers, applicant, on behalf of Buona Terra Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores); premises 148-42 Hillside avenue, south side, 224.5 ft. west of 150th street (Block No. 9694, Lot No. 23), Jamaica, Borough of Queens.

CAL. NO. 929-39-BZ—Application, July 11, 1939, under sections 7a and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Oliver S. Chatfield, owner, to permit in a business use district, the alteration of an existing garage and gasoline service station and the increase in area of the gasoline station by the relocation of the front wall of the garage; premises 97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 5, 1939, 2 P. M.

Appeal from Administrative Decision

1306-39-A—623 Beach 19th street, west side, 347 ft. south of Cornaga avenue and 702 Beach 20th street (Block No. 84, Lot No. 1 and Block No. 85, Lot No. 34), Far Rockaway, Bor-

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ough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

DECEMBER 12, 1939, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 12, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 746-39-BZ—Application, June 7, 1939, under sections 7c, 7f and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Brooklyn Development Company, owner (George E. Weidner, lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a golf driving range and accessory club house; premises 2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

Appeal from Administrative Decision

894-39-A—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West

street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn (Under Section 35, General City Law, Re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1940, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 24, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, October 3, 1939, and the minutes of the regular meeting of the board held on Tuesday afternoon, October 3, 1939, were approved, as printed in Bulletin No. 41, Vol. 24.

BUILDING ZONE CASES

1013-38-BZ.

APPLICANT—John Beveridge (lessee), for Jesse Knight, Edith Howells, Daisy Howells, American Savings Bank, Ernest Hoehm and Union Dime Savings Bank, owners.

SUBJECT—Application restored to calendar October 3, 1939—(re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution; dismissal action rescinded).

PREMISES AFFECTED—1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21 to 25, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: John Beveridge and Charles J. Ricotta.

For Opposition: Morris Wolf.

ACTION OF BOARD—Laid over to November 14, 1939, at 10 A. M.

413-39-BZ.

APPLICANT—Henry C. Brockman, for New York Rapid Transit Corporation and Brooklyn-Manhattan Transit Company, owners (Gulf Oil Corporation, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7a, 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the extension of a gasoline service station.

PREMISES AFFECTED—464-484 Flatbush avenue and 1-33 Ocean avenue, southwest corner (Block No. 5024, part of Lot Nos. 28 and 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph A. Lynch and Henry C. Brockman.

For Opposition: C. G. Bachrach, Julius Spitzer, Albert Weiner and P. Werner.

ACTION OF BOARD—Laid over to November 14, 1939, at

MINUTES

10 A. M., for inspection by a committee of the Board. No further argument.

552-39-BZ.

APPLICANT—Bernhardt T. Berman, for Elias Goldberg, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—1028-1030 Utica avenue, west side, 100 ft. south of Tilden avenue (Block No. 4734, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bernhardt T. Berman.

For Opposition: Abraham H. Goodman.

ACTION OF BOARD—Laid over to November 14, 1939, at 10 A. M., on request of attorney for objectors.

746-39-BZ.

APPLICANT—Paul Friedman, for Brooklyn Development Company, owner (George E. Weidner, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7c, 7f and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a golf driving range and accessory club house.

PREMISES AFFECTED—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Laid over to December 12, 1939, at 10 A. M., on request of applicant.

671-39-BZ.

APPLICANT—Theodore R. Feinberg (Reshen Sons, lessee), for Artborn Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot Nos. 1 and 10), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Theodore R. Feinberg.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

Absent

0

THE RESOLUTION--

(671-39-BZ)

WHEREAS, Theodore R. Feinberg, Reshen Sons, lessees), for Artborn Corporation, owner, filed May 22, 1939, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station; premises: 108-46 Merrick road, southeast corner of 169th place (Block No. 1243, Lot No. 1 and 10), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meet-

ing, October 24, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Merrick road is in a business, residence, and unrestricted use district and 169th place and 171st street are in residence and business use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings, Alt. App. No. 804-1939, dated May 3, 1939, reads:

"1. The creation of a gasoline service station in a business district is contrary to Article 2, Section 4 of the Zoning Law."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 152 ft. on 169th place, 65 ft. and 130 ft. on Merrick road and 110 ft. on 108th drive. It is proposed to extend the area of the existing gasoline service station and also to extend the area of the existing accessory building as shown upon filed plans; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under sections 7, subdivision c and 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under sections 7c and 21, to permit the extension and reconstruction of the existing gasoline service station substantially as indicated on revised plans filed, marked "Received October 19, 1939"; *on condition* that all buildings now existing on the premises shall be removed, except a portion of the existing building which is to be incorporated in the new building; that the plot shall be leveled substantially to the grade of the existing streets; that the accessory building shall not exceed one story in height and shall be located toward the southwest-erly corner of the plot; that such accessory building shall be constructed of incombustible materials and generally of the design as indicated on such plans, except that the roof beams and roof boarding may be of wood, provided the weather surfacing is of approved material and the ceiling fire retarded throughout, in accordance with the rules of the board; that all windows and doors may have wood frames and sash, except that there shall be no doors to greasing section, unless the grease pits are ventilated through and above the roof by means of metal ducts and with motor driven fans of the sparkproof type or unless the greasing equipment is of the hydraulic type; that the entire plot, where not covered by accessory building and planting, shall be cement paved or surfaced with colprovia or other similar material; that there shall be erected on the street building lines of 108th drive and 169th place, extending to the walls on the building lines of the accessory building, a brick wall of face brick on both sides not less than 6 ft. in height, returning on Merrick road at both ends for a distance of not less than 5 ft. and for a height of not less than 4 ft.; that the area shown to be landscaped shall be protected by a concrete curbing; that no gasoline pumps shall be erected nearer than 20 ft. to the street building line of Merrick road; that there shall be no vehi-cular openings to the station or the accessory building to 108th drive or 169th place; that there shall be no automobile repairing carried on and no parking of cars other than those being serviced; that signs shall be restricted to per-manent signs attached to the portion of the accessory build-ing facing Merrick road and to the illuminated globes of the pumps, excluding all temporary signs and roof signs except tower as shown, but permitting the erection within the building line at three (3) points along Merrick road of post standards for supporting one sign each which may be illuminated, advertising only the brand of gasoline on sale, permitting such signs to extend beyond the building line for a distance of not more than 4 ft.; that curb cuts shall be solely from Merrick road and shall not exceed four (4), each curb cut not exceeding 25 ft. in width; that no portion

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of any curb shall be nearer than 5 ft. from the street building line as extended; that any existing curb cuts, where not required for the herein permitted curb cuts, shall be restored; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

739-39-BZ.

APPLICANT—Samuels and Samuels, for 1726 Lexington Avenue, Inc., owner (John A. Alexander, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—130 East 108th street and 1726-1730 Lexington avenue, southwest corner (Block No. 1635, Lot Nos. 57, 156 and 157), Borough of Manhattan.

APPEARANCES—

For Applicant: Archie H. Samuels and John A. Alexander.

For Opposition: Carmela C. Nicoletti, Herman Grossman, Otto Ruthshauser, Pietro Macaluso, Sadie Genello, Maria D. Sassilli, Raymond M. Kahn and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(739-39-BZ)

WHEREAS, Samuels and Samuels, for 1726 Lexington Avenue, Inc., owner (John A. Alexander, lessee), filed June 1, 1939, an application under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, affecting premises: 130 East 108th street and 1726-1730 Lexington avenue, southwest corner (Block No. 1635, Lot Nos. 57, 156 and 157), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 24, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Lexington avenue, Park avenue, East 107th street and East 108th street are in business use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings, N.B. Applic. No. 99-1939, dated May 18, 1939, reads:

"(1) Proposed occupancy as a Gasoline Service Station within a business district is in violation of Sect. 4a Sub. d. 46 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 61 ft. on Lexington avenue and 75 ft. on East 108th street; on the northwest portion of the plot there is located a one story brick building, 20 ft. by 30 ft. in area, which is to be removed. It is proposed to erect upon the plot a one story building 51 ft. by 24 ft. 8 in. in area, to be used as office, lubritorium and auto laundry and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under sections 7 and 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship and substitutions of a nonconforming use.

Resolved, that the decision of the borough superintendent, N.B. Applic. No. 99-1939, be and it hereby is affirmed, and that the application be and it hereby is denied.

742-39-BZ.

APPLICANT—John F. Meehan, for F. D. Koehler Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the reconstruction of the accessory building on an existing gasoline service station.

PREMISES AFFECTED—1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: John F. Meehan.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(742-39-BZ)

WHEREAS, John F. Meehan, for F. D. Koehler Company, owner, filed June 5, 1939, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district, the reconstruction of the accessory buildings on an existing gasoline service station; premises: 1218-1222 Clove road and 1201-1205 Victory boulevard, northwest corner (Block No. 328, Lot No. 60), West New Brighton, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 24, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Victory boulevard is in a business and residence use district; Clove road, Waldron avenue and Glenwood avenue are in business use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated May 10, 1939, reads:

"Your application New Building No. 114-1939, filed on May 8, 1939 by Frank Majer, Jr. Architect, for the approval of a structure at premises No. 1218 Clove road, West New Brighton, Borough of Richmond, to be used for office, auto accessory store, lubritorium and car washing in conjunction with existing gasoline service station, is hereby disapproved as it is contrary to the Zoning Resolution, Section 4(a) (46) to erect a gasoline service station building in a business use district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Victory boulevard and 100 ft. on Clove road and occupied as a gasoline service station. It is proposed to install additional tanks and pumps and also, to erect upon the plot a one story accessory building 45 ft. by 27 ft. 6 in. in area to be used as office and lubritorium in conjunction with the existing gasoline service station; and

WHEREAS, the premises and area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under sections 7c and 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship so as to rearrange and improve existing gasoline station.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 21, to permit the rearrangement and reconstruction of the ex-

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isting gasoline service station, substantially as marked on plans marked "Received October 20, 1939", *on condition* that the plot shall be graded substantially to the grade of Clove road and Victory boulevard; that any structures existing on the premises shall be completely removed; that no structure shall be erected, except as indicated on plans marked "Received October 20, 1939," which shall consist only of an accessory building arranged for lubritorium and office; that such building shall not exceed one story in height, and be constructed of incombustible materials, except that the roof beams and roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of this board and provided no doors shall be erected at the openings to the lubritorium, unless the greasing equipment is of the hydraulic type or unless if pits are installed, the pits are ventilated through the roof by means of metal ducts with motor driven sparkproof fans; that the entire plot, where not covered by accessory building and planting, shall be cement paved or surfaced with colprovia or other similar impervious material; that any pumps erected shall be not nearer than 15 ft. to either street line; that curb cuts shall be restricted to two (2) from Clove road, not over 20 ft. in width each and two (2) from Victory boulevard, not exceeding 25 ft. in width each; that no part of any curb cut shall be nearer than 5 ft. from the exterior property line as extended; that there shall be erected at the intersection of Victory boulevard and Clove road, a block of concrete extending for a distance of not less than 7 ft. from the intersection along either street building line; that there shall be erected on the interior lot lines, a masonry wall not less than 3 ft. in height with a wooden fence above to a total height of not less than 6 ft.; that such walls and fence may be reduced to a height of 4 ft. within 10 ft. of the street building line; that lights for general illumination shall be on metal standards with metal reflectors so arranged as to reflect away from the adjoining residential occupancies; that planting shall be maintained along the northerly and westerly lot line adjoining the fence; that such planting shall be for an average depth of not less than 5 ft. and shall be protected with a concrete curbing; that signs shall be restricted to a permanent sign attached to the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line, near the intersection of Victory boulevard and Clove road, of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale; that such sign may extend beyond the building line of Clove road and Victory boulevard for a distance of not over 5 ft.; that the boiler room shall be separated from the balance of the accessory building by fireproof material, enterable only from the exterior; that during the term of this variance, the premises shall be used for no other use; that there shall be no parking of automobiles other than those being serviced and no automobile repairing; that no portable gasoline tanks shall be used on or from the premises; that in the event either Victory boulevard or Clove road or both are widened, all pumps shall be relocated at a distance of not less than 15 ft. from the new building line; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

1007-39-BZ.

APPLICANT—Oscar Goldschlag, for Helen Robertson, Claire F. Schimmel and Excelsior Savings Bank, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2334-2364 Jerome avenue, east

side, 96 ft. south of East 184th street (Block No. 3187, Lot Nos. 14 to 21, inclusive), Borough of The Bronx.

APPEARANCES—

For Applicant: Oscar Goldschlag and Herman Levy.

For Opposition: Earl I. Gallant, Alfred E. Smith, Jr., William F. Walsh, Alexander Roth, H. J. Henze, Jacob Solomon, Ralph Itzler and others.

ACTION OF BOARD—Application denied. THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(1007-39-BZ)

WHEREAS, Oscar Goldschlag, for Helen Robertson, Claire F. Schimmel and Excelsior Savings Bank, owners, filed July 27, 1939, an application under section 7H of the building zone resolution, to permit in a business use district, for a temporary period of not more than two years, the parking and storage of more than five motor vehicles; premises 2334-2364 Jerome avenue, east side, 96 ft. south of East 184th street (Block No. 3187, Lot No. 14 to 21 inclusive), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 24, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jerome avenue, East 183rd street and East 184th street are in business use districts; Walton avenue, West 183rd street, West 184th street and North street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings dated June 28, 1939, reads:

"Please be advised that your application for a certificate of occupancy is hereby denied as the parking and storage of more than five (5) motor vehicles in a business district is contrary to Article 2, Section 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a vacant plot of ground having a frontage of 275 ft. and a depth of 100 ft. It is proposed to use the plot for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision H for the use of the plot for the parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent, dated June 28, 1939, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEAL FROM ADMINISTRATIVE DECISION

894-39-A.

APPLICANT—Paul Friedman, for Brooklyn Development Company, owner (George E. Weidner, lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234B, Lot No. 1 and Block No. 7235A, Lot Nos. 1, 2 and 75), Borough of Brooklyn (Under Section 35, General City Law, Re: Bed of Mapped Street).

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APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Laid over to December 12, 1939, at 10 A. M., on request of applicant.

Adjourned, 3:20 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 24, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

979-24-BZ.

APPLICANT—Saul Goldsmith, for Joseph A. Redmond and John J. Redmond, owners.

SUBJECT—Application for consideration—reopening and amendment—re decision of the borough superintendent of buildings—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the erection and maintenance of three story dwellings to be used for store purposes on the first story.

PREMISES AFFECTED—6914-6932 Fourth avenue, northwest corner of Ovington avenue (Block No. 5872, Lot No. 54), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith and John J. Redmond.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

1063-27-BZ.

APPLICANT—Henry H. Ehrlich, for Neprak Corporation, present owner.

SUBJECT—Application for consideration—reopening and amendment re decision of the borough superintendent of buildings—re Application (previously granted on condition) under section 21 of the building zone resolution, permitting in a residence use district, the alteration and maintenance of an existing gasoline service station.

PREMISES AFFECTED—149-12 North Conduit boulevard and 133-44 150th street (Three Mile road), northwest corner (Block No. 2893, Lot No. 1A), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: C. Alfred Karpen.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

814-28-BZ.

APPLICANT—William Reich, for John Cestaro, Patrick La Trace and Joseph Cestaro, owners.

SUBJECT—Application for consideration—reopening and amendment—re decision of the borough superintendent of buildings—re Application, previously

granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—796-802 Metropolitan avenue and 2-10 Bushwick avenue, southwest corner (Block No. 2766, Lot Nos. 11 and 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Reich.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

372-29-BZ.

APPLICANT—H. Hurwit, for Dollar Savings Bank of The Bronx, owner.

SUBJECT—Application for consideration—reopening and amendment—re decision of the borough superintendent of buildings—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the erection and maintenance of a business building.

PREMISES AFFECTED—2330 Grand Concourse, east side, 150 ft. south of Field place (Block No. 3159, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: H. Hurwit.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

76-37-BZ.

APPLICANT—Edwin H. Snackenberg, for Albert Edelman, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—601-611 Livonia avenue, northeast corner of Sheffield avenue (Block No. 3805, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin H. Snackenberg.

ACTION OF BOARD—Application reopened and set for hearing November 21, 1939 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

1018-38-BZ.

APPLICANT—John F. Meehan, for The Rector, Church Wardens and Vestrymen of Trinity Church in the City of New York, owner (Caswell Motor Company, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings) under section 7h of the building zone resolution, permit-

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ting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.
PREMISES AFFECTED—3740 Broadway, northeast corner of West 155th street (Block No. 2114, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: John F. Meehan.

ACTION OF BOARD—Application reopened and set for hearing November 21, 1939 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

244-39-BZ.

APPLICANT—John J. Beatty, for Harlem Savings Bank, owner.

SUBJECT—Application for consideration—reopening and rehearing under new facts, previously denied—re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a restricted retail use district, the alteration and conversion of occupancy of part of an existing building to a motion picture theatre.

PREMISES AFFECTED—163-165 West 57th street, north side, 104 ft. 2 in. east of Seventh avenue (Block No. 1010, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Beatty.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

265-21-BZ.

APPLICANT—Samuel Rosenblum, for Constant A. Benoit, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings) under section 7c of the building zone resolution, permitting partly in a business use district and partly in an unrestricted use district, the extension in use and area of an existing three (3) story factory building.

PREMISES AFFECTED—1702-1718 Avenue "Y", south side, from East 17th street to East 18th street (Block No. 7438, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(265-21-BZ)

WHEREAS, Samuel Rosenblum, for Constant A. Benoit, owner, filed February 3, 1921, with the Board of Standards and Appeals an application under the building zone resolution to permit partly in a business use district and partly in an unrestricted district, the extension in use and area of an existing three story factory building; premises: 1702-1718 Avenue "Y", south side, from East 17th street to East

18th street (Block No. 7438, Lot No. 1), Borough of Brooklyn; and

WHEREAS, this application was granted by the board May 3, 1921, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted May 3, 1921, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulation of the building zone resolution and that the application be and it hereby is granted on condition that all necessary permits for the prosecution of the work shall have been obtained within nine months and the work completed within eighteen months from May 3, 1921.

Resolved further, that in the event the buildings permitted to be erected under the resolution adopted by the Board on May 3, 1921, are not constructed except for a 3-story building approximately 52 ft. by 84 ft. in area, located near the corner of Avenue Y and East 18th street, additional buildings may be constructed on the premises, provided same are for conforming use only and comply with all laws, rules and regulations pertaining thereto, including the requirements of the Zoning Resolution; and that the use as permitted under the resolution adopted by the Board on May 3, 1921 may still apply to the existing building herein referred to; that the manufacturing space in such additional buildings shall not exceed that permitted under Section 4, subdivision C of the Building Zone Resolution."

1420-23-BZ.

APPLICANT—Edwin H. Snackenberg, for Guardian Garage, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings) under section 7e of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—224-240 Clarkson avenue, south side, 135 ft. 4½ in. east of Rogers avenue (Block No. 5066, Lot No. 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin H. Snackenberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1420-23-BZ)

WHEREAS, this application affecting premises 224-240 Clarkson avenue, south side, 135 ft. 4½ in., east of Rogers avenue (Block No. 5066, Lot No. 21), Borough of Brooklyn, was granted by the board at its meeting March 25, 1924, on certain conditions, amended September 19, 1933 and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted March 25, 1924, as amended by resolution adopted September 19, 1933, so that the amended resolution shall read:

"Resolved, that the resolution adopted by the board on March 25, 1924, be modified only so far as it refers to the intervening space between the front wall of the garage and the street line, so that as modified this portion of the resolution will read: 'that the front wall shall be set back 40 ft. from the building line of Clarkson avenue and that the intervening space between the

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front wall and the street shall be cemented and left unbuilt upon *on condition* that there shall be no gasoline pumps installed on this area and that the gasoline tanks shall be either removed or filled with concrete.

Resolved further, that in the event the owner desires to install an additional 550 gallon gasoline storage tank, making a total of two tanks, and an additional gasoline pump, located entirely within the building, such installation may be permitted on condition that the resolution as adopted by the board on March 25, 1924, other than as amended herein, shall be complied with in all other respects."

285-31-BZ.

APPLICANT—Niacol Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings) under section 7f of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Northwest corner of Jamaica Bay boulevard and Nolins (165th) avenue (Block No. 4153, Lot No. 146), Shellbank Basin, Borough of Queens.

APPEARANCES—

For Applicant: Louis Gallucci.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(285-31-BZ)

WHEREAS, John Potts, for Constantinos Demetrookas, owner, filed June 5, 1931, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises northwest corner of Jamaica Bay boulevard and Nolins avenue (165th avenue); (Block No. 4153, Lot No. 146), Shellbank Basin, Borough of Queens; and

WHEREAS, this application was granted by the Board December 15, 1931 for a temporary period, on certain conditions, resolution amended November 28, 1933, December 20, 1935, and January 11, 1938, and present owner requests a further extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on December 15, 1931, as amended by resolution adopted on November 28, 1933, December 20, 1935, and January 11, 1938, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7, subdivision F for a temporary period of two years from January 11, 1940, *on condition* that all pumps shall be set back not less than 10 ft. from the building line; all advertising signs shall be confined to the illuminated globes of the gasoline pumps or to flat wall signs on any buildings erected on the premises, indicating the name and nature of the business conducted thereon, but prohibiting any roof signs; any building erected on premises to be limited to one story in height; all permits required shall be obtained within six months and all work involved thereby completed within one year from the date of this *amended* resolution."

411-37-BZ.

APPLICANT—Philip Patti (lessee), for Brooklyn and Queens Transit Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—366 Seneca avenue, southwest corner of DeKalb avenue (Block No. 3425, Lot No. 7), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Abraham Brodsky.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(411-37-BZ)

WHEREAS, Philip Patti (lessee), for Brooklyn and Queens Transit Corporation, owner, filed on August 20, 1937, an application under the building zone resolution, to permit partly in a business use district and partly in a residence use district, the parking and storage of more than five (5) motor vehicles; premises: 366 Seneca avenue, southwest corner of DeKalb avenue (Block No. 3425, Lot No. 7), Ridgewood, Borough of Queens; and

WHEREAS, this application was granted by the Board May 2, 1939, on certain conditions and applicant requested an extension of time to obtain permit and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted May 2, 1939, so that as amended this portion shall read:

"That in view of statement by applicant that all work has been completed except the curb cuts, that all permits required shall be obtained and all work involved completed within three months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS
1058-39-A.

APPLICANT—Lomis Realty Corporation, owner (First Avenue Bathing Corporation, lessee).

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—24 First avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Milton G. Tunick.

ACTION OF BOARD—Laid over to November 14, 1939 at 2 P. M., on request of applicant's representative.

1111-39-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer for Alfred Rader, Acting Borough Superintendent, for Department of Housing and Buildings, Borough of Brooklyn.

OWNER OF PREMISES—William Crystal and Anna Crystal (Samuel Budoff, lessee).

SUBJECT—Application for the revocation of certificate of occupancy No. 66349 and permit No. 11430-31.

PREMISES AFFECTED—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Opposition: B. Sloane.

ACTION OF BOARD—Laid over to November 8, 1939, at 2 P. M., on request of owner's representative; awaiting court decision.

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1119-39-A.
 APPLICANT—J. and H. H. Goebel, for Edwards Hotel, Inc., owner.
 SUBJECT—Appeal from an order and a decision of the fire commissioner.
 PREMISES AFFECTED—58-64 Clay street, south side, 116 ft. 8 in. west of Manhattan avenue and 1109-1113 Manhattan avenue (Block No. 2487, Lot No. 34), Borough of Brooklyn.
 APPEARANCES—
 For Applicant: Harry H. Goebel.
 ACTION OF BOARD—Laid over to November 8, 1939, at 2 P. M., on request of applicant.

1159-39-A.
 APPLICANT—Merrick Contracting Co., Inc. (lessee), for Harry Lederer, owner.
 SUBJECT—Appeal from a decision of the borough superintendent of buildings.
 PREMISES AFFECTED—176-01 (also known as 175-02) Baisley boulevard, east side, from Irwin place to 120th avenue (Block No. 3180, Lot No. 1), St. Albans, Borough of Queens.
 APPEARANCES—
 For Applicant: Francis J. Robertson and Harry Lederer.
 For Administration: Joseph Ferro, Dept. of Housing and Buildings.
 ACTION OF BOARD—Laid over to October 31, 1939, at 2 P. M., for inspection by a committee of the Board.

1219-39-A.
 APPLICANT—Harold Klorfein, for Department of Parks, City of New York.
 OWNER OF PREMISES—440 East 102nd Street Corporation.
 SUBJECT—Appeal from a decision of the acting First Deputy Commissioner, Department of Housing and Buildings re Revocation of Permit No. 3839-39, Certificate of Occupancy No. 25131, Misc. Applic. 362-39, Drop Curb Applic. M-229, B.N. 1698-39 and Alt. Applic. 2729-39.
 PREMISES AFFECTED—440 East 102nd street, southwest corner of East River Drive (Block No. 1695, Lot No. 25), Borough of Manhattan.
 APPEARANCES—
 For Applicant: Harold Klorfein, Arthur S. Hodgkiss and Walter Hopper.
 For Opposition: Edgar A. Palmieri, Alfred A. Lama, Felice Trocchio, Abraham Gross, D. Edwards, Samuel Tsukroff, Samuel Rubin, Ben Bloom and Joe Nanni.
 For Administration: Fred Dahlem, Dept. of Housing and Buildings.
 ACTION OF BOARD—Laid over to November 21, 1939, at 2 P. M., for final decision. (Pending decision by Court of Appeals in similar case).

1640-21-A.
 APPLICANT—M. Kraus, Inc., owner.
 SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the acting borough superintendent of buildings.
 PREMISES AFFECTED—36 Central Park South (West 59th street), south side, 375 ft. west of Fifth avenue (Block No. 1274, Lot No. 62), Borough of Manhattan.
 APPEARANCES—
 For Applicant: M. Kraus.
 ACTION OF BOARD—Request to reopen denied.
 THE VOTE TO REOPEN—
 Affirmative 0

Negative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
 Absent 0

1026-39-A.
 APPLICANT—George Garone (lessee), for Frank Petriello, owner.
 SUBJECT—Appeal from an order and a decision of the fire commissioner.
 PREMISES AFFECTED—246 Frost street, south side, 100 ft. west of Kingsland avenue (Block No. 2866, Lot No. 32), Borough of Brooklyn.
 APPEARANCES—
 For Applicant: Benjamin Brody.
 For Administration: Thomas E. Larkin, Fire Dept.
 ACTION OF BOARD—Appeal withdrawn. Applicant to confer with Fire Dept.
 THE VOTE TO WITHDRAW—
 Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
 Negative 0
 Absent 0

1106-39-A.
 APPLICANT—Filomena Petito, owner.
 SUBJECT—Appeal from a decision of the deputy commissioner, division of housing, department of housing and buildings.
 PREMISES AFFECTED—860 Kent avenue, west side, 423.8 ft. south of Park avenue (Block No. 1897, Lot No. 48), Borough of Brooklyn.
 APPEARANCES—
 For Applicant: Frank Cucurullo.
 For Administration: Philip Granata and Benjamin Saltzman, Dept. of Housing and Buildings.
 ACTION OF BOARD—Appeal withdrawn, after argument.
 THE VOTE TO WITHDRAW—
 Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
 Negative 0
 Absent 0

1196-39-A.
 APPLICANT—Allen A. Blaustein, for Walter Goat, owner (Maurice Bass, lessee).
 SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
 PREMISES AFFECTED—322-328 Dean street, south side, 175 ft. east of Third avenue (Block No. 198, Lot Nos. 15, 17 and 18), Borough of Brooklyn.
 APPEARANCES—
 For Applicant: Allen A. Blaustein and Walter Goat.
 For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.
 ACTION OF BOARD—Appeal withdrawn after argument.
 THE VOTE TO WITHDRAW—
 Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
 Negative 0
 Absent 0

1062-39-A.
 APPLICANT—Ansonia Fire Prevention Company, for Mercantile Real Estate Co., Inc., owner.
 SUBJECT—Appeal from an order and a decision of the fire commissioner.
 PREMISES AFFECTED—115-117 Worth street, northwest corner of Lafayette street (Block No. 170, Lot No. 12), Borough of Manhattan.

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APPEARANCES—

For Applicant: George E. Crane.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1062-39-A)

WHEREAS, Ansonia Fire Prevention Company, for Mercantile Real Estate Co., Inc., owner, filed on August 23, 1939, an appeal from an order and decision of the fire commissioner, affecting premises 115-117 Worth street, north-west corner Lafayette street (Block No. 170, Lot No. 12), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 2097-LF, dated August 22, 1938, reads:

"1. Provide an automatic thermostatic system connected to the central office of one of the operating companies, in conjunction with the non-automatic dry pipe sprinkler system in the sub-basement of the above premises, Art. 16, Ch. 26, Adm. Code."

and

WHEREAS, the above order was referred to in a decision of the fire commissioner dated July 24, 1939; and

WHEREAS, the building is six stories (75 ft.) in height, 73 ft. by 91 ft. 2 in. in area, of class 3 construction, equipped with a standpipe and a sprinkler system, located in an unrestricted use district, erected prior to 1906 and occupied: Sub-cellar—boiler room; cellar—storage and toilets—5 persons; 1st floor—store and restaurant—166 persons; 2nd floor—showroom and office—10 persons; 3rd floor—office—50 persons; 4th floor—offices—18 persons; 5th floor—offices—12 persons; 6th floor—offices—12 persons; and

WHEREAS, the applicant contends that the building is approximately 6700 sq. ft. in area and faces two streets; that the occupancy is non-hazardous; that the basement and sub-basement are equipped throughout with an approved non-automatic sprinkler system with siamese on both streets; that it would be a hardship to be compelled to install a thermostatic alarm; that the basement and sub-basement are adequately protected with the existing sprinkler system.

Resolved, that the order of the fire commissioner, No. 2097-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that in all other respects the sprinkler system in the cellar and sub-cellar shall comply with all the requirements therefor and shall be maintained to the satisfaction of the fire commissioner; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1087-39-A.

APPLICANT—London Terrace Garage, Inc., adjoining property owner.

OWNER OF PREMISES—G. G. A. Development Corp.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Permit No. 2759 and Certificate of Occupancy No. 23772-38.

PREMISES AFFECTED—447-459 West 26th street, north side, 125 ft. east of Tenth avenue (Block No. 724, Lot Nos. 7 to 10, inclusive), Borough of Manhattan,

APPEARANCES—

For Applicant: Louis A. Jackson, Herman Kron, Oscar Goldschlag and D. Lieberman.

For Owner: Ben. C. Block.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Absent 0

THE RESOLUTION—

(1087-39-A)

WHEREAS, the London Terrace Garage Inc., adjoining property owner, filed on September 1, 1939, an appeal from a decision of the Borough Superintendent of Buildings, refusing to revoke Certificate of Occupancy No. 23772-38 and Drop Curb Permit 2759, affecting premises 447-459 West 26th street, north side, 125 ft. east of Tenth avenue (Block No. 724, Lot Nos. 7 to 10 inclusive), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent, dated August 16, 1939, reads:

"In reply to your letter of August 7, 1939, please be advised that the above premises were approved for a gasoline station, parking space and drop curb. Permit No. 2759 was issued for drop curb on August 6, 1936. Certificate of Occupancy No. 23772-38 was issued on June 30, 1938.

The drop curb permit was issued while those premises were within an unrestricted district and certificate of occupancy was issued in 1938 based on this established fact of occupancy during 1936.

The drop curb permit was issued while these premises were within an unrestricted district and the subsequent change to residence district does not void the permit or certificate of occupancy."

and

WHEREAS, the premises consist of a plot 175 ft. by 98 ft. 9 in. in area, upon which there has been erected a one-story metal frame building 12 ft. in height, 10 ft. 8 in. by 12 ft. in area. The plot is located in a residence use, "B" area, district and occupied: Storage and parking of more than five motor vehicles and gasoline service station; and

WHEREAS, the applicant contends that on or about October 7, 1936, an application was filed for a permit from the Division of Combustibles, Fire Department, for an oil and gasoline filling station, that the Division had approved a 550 gallon tank on or about August 29, 1936; that work was commenced on August 26, 1936; that this application did not cover parking of motor vehicles; that on February 2, 1938, a letter was sent by the Department of Housing and Buildings to the Division of Combustibles, advising that the premises had not been approved for the parking of more than five automobiles; that on July 13, 1936, the Division of Combustibles filed Violation No. 13546-LC, which affected the question of proper zoning; that there was no certificate of occupancy at that time; that on August 6, 1938, an application was filed in the Division of Combustibles for a permit for the gasoline station; that the zone was given as "unrestricted"; that on September 6, 1938, the Division of Combustibles notified the operator of the premises that they had no permit to sell the gasoline and operate a gasoline station; that the permit for the operation of a gasoline station was first approved June 9, 1938, but the operator never secured the permit and never paid the fee therefor; that on all applications submitted to the Division of Combustibles, the question in connection with the parking of cars was deleted and eliminated; that prior to October 29, 1936, the premises were in an unrestricted use district; that after said date the area was rezoned to a residence use district; that up to as late as July 14, 1939, there was no permit for the operation of a gasoline service station; that on June 30, 1938, the Department of Housing and Buildings issued its certificate of occupancy No. 23772, permitting the store and public parking space for more than five cars and gasoline service station; that it is to be noted that the certificate states that it is in an "Unrestricted District." On April 12, 1938, an application was made for the erection of a one-story, temporary metal shed for a watchman and this application (No. 69-1938) was approved June 16, 1938; that the work in

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connection with the drop curb cut permit was commenced on the 10th day of August, 1936, and the date signed off was January 30, 1937; that the granting of the certificate of occupancy for the parking of more than five motor vehicles and for a gasoline station was illegal and should be revoked; the cut curb permit should also be revoked; and

WHEREAS, the Board found that application for curb cuts, gasoline station and parking were duly filed and approved prior to the change of zoned use.

Resolved, that the decision of the Borough Superintendent of Buildings, dated August 16, 1939, be and it hereby is *affirmed* and the appeal to revoke the Certificate of Occupancy and drop curb permit, be and it hereby is *denied*.

1088-39-A.

APPLICANT—Lynwood Nursing Home, Inc. (lessee), for Richland Estates, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—306 West 102nd street, south side, 125 ft. west of West End avenue (Block No. 1889, Lot No. 64), Borough of Manhattan.

APPEARANCES—

For Applicant: William F. Marquette.

For Administration: Fred Dahlem, Dept. of Housing and Buildings, and Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(1088-39-A)

WHEREAS, Lynwood Nursing Home, Inc. (lessee) for Richland Estates, Inc., owner, filed September 1, 1939, an appeal from an order of the fire commissioner affecting premises 306 West 102nd street, south side, 125 ft. west of West End avenue (Block No. 1889, Lot No. 64), Borough of Manhattan; and

WHEREAS, Order No. 5366-LF, issued by the fire commissioner August 2, 1939, reads:

"Install an adequate interior electric fire alarm system in accordance with the rules of the Board of Standards and Appeals, and the enclosed approved layout 487e-2.0.c-1 Adm. Code.

2. Comply with one of the following alternatives required by Section 487e-2.0 c-2 of the Adm. Code.

(a) Provide a watchman who shall visit every portion of the premises and install an improved system of time detectors to properly record the movements of the watchman, or

(b) Provide an approved automatic thermostatic fire alarm system to cover all portions of the premises. This equipment shall be local in character and shall be connected to the interior fire alarm system installed in the hospital.

If the automatic thermostatic fire alarm system (required by alternative b) is installed, all work shall be done in accordance with the regulations of the Fire Department and plans in duplicate showing the location and number of thermostatic devices shall be filed with and approved by the division of Fire Prevention, Fire Department, before the work of installation may be commenced.

3. Provide telegraphic communication with the Fire Department headquarters, as provided for by the Administrative Code. Section 487e-2.0b."

and

WHEREAS, the building is 6 stories (75 ft.) in height, 25 ft. by 100 ft. in area, of fireproof construction, erected in 1902 located in a residence use district and occupied, Cellar, kitchen, boiler room, storage and morgue; 1st floor, offices, nurses apartment and two patients; 2nd floor, 7 rooms, 8

patients; 3rd floor, 7 rooms, 7 patients; 4th floor, 7 rooms, 7 patients; 5th floor, 7 rooms, 7 patients; 6th floor, 7 rooms, 7 patients; and

WHEREAS, the applicant contends that it will be a hardship to be compelled to comply with the order; that the building is equipped with fire-escapes on each floor and Pyrene fire extinguishers and sand pails in the boiler room and kitchen; that there is a staff of 10 employees and nurses during the day and two nurses constantly on duty during the night; that there is one coin box and one non-coin box type telephone on the premises.

Resolved, that the order of the fire commissioner, No. 5366-LF, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

1151-39-A.

APPLICANT—Randazzo and Samenfeld, for Catherine Messina, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—81-41 102nd avenue, north side, 250 ft. west of 84th street (Block No. 9081, Lot No. 59), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Lee Samenfeld.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1151-39-A)

WHEREAS, Randazzo and Samenfeld, for Catherine Messina, owner, filed September 19, 1939, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises 81-41 102nd avenue, north side, 250 ft. west of 84th street (Block No. 9081, Lot No. 59), Richmond Hill, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, on Alt. Applic. No. 961-39, dated September 18, 1939, reads:

"2. Inasmuch as this building could not be built of frame at present time, a new extension of frame cannot be built. Sec. 4.1.5 of B.C."

and

WHEREAS, the building is 2 stories (21 ft. 6 in.) in height, 18 ft. by 31 ft. in area, of frame construction, located in a residence use district and occupied: Cellar—boiler room; 1st floor—one family; 2nd floor—one family; and

WHEREAS, the applicant contends that it is proposed to build a two story frame extension to the existing two story frame, two family dwelling; that the decision of the borough superintendent would require that said extension be built of masonry; that Section 4.1.5 permits the enlargement of frame buildings in accordance with the restrictions of Section 4.1.3, subdivision 1-a; that the alteration as proposed, complies with all provisions of the Code; that the proposed extension will be 6 ft. 6 in. from one lot line and 3 ft. from the other lot line; that the extension will not exceed 15 ft. in depth and the total area occupied by the buildings as proposed is less than 80% of the area of the lot.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 961-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 2, so as to permit the construction of the proposed 3-story extension as shown on plans filed herein marked "Received October 25, 1939."

1162-39-A.

APPLICANT—Henry Capobianco, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

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PREMISES AFFECTED—8782-8794 26th avenue, southwest corner of Bath avenue (Block No. 6896, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: John Capobianco and Henry Capobianco.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1162-39-A)

WHEREAS, Henry Capobianco, owner, filed on September 22, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 8782-8794 26th avenue, southwest corner of Bath avenue (Block No. 6896, Lot No. 41), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on B.N. No. 4810-39, dated September 22, 1939, reads:

"1. Proposed change of occupancy of room indicated on 1st floor plan from dwelling use to business use is contrary to 2.1.3.5 and 4.1.5 of Code, which prohibit a business use in a frame structure."

and

WHEREAS, the building is 2½ stories (40 ft.) in height, 40 ft. by 40 ft. in area, of frame construction; located in a business use, D area, district; erected over 40 years ago; occupied: Cellar—boiler room and storage; 1st floor—dwelling, one family and barber shop; 2nd floor—two families; 3rd floor—1 family and storage; and

WHEREAS, the applicant contends that he has been conducting a barber shop at these premises for one year; that the Health Department refused to renew his permit unless he exhibited a certificate of occupancy; that the purpose of this application is to permit the issuance of the certificate of occupancy for the use of one room on the 1st floor as a barber shop.

Resolved, that the decision of the borough superintendent on B.N. No. 4810-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building complies with all laws, rules and regulations applicable thereto, including the provisions of the multiple dwelling law, if such law is found to apply; that the business use of the barber shop shall not be extended above the 1st story and shall not occupy more than one room in the front portion thereof; that the building shall not be increased in height or area and that the lot on which the building is erected shall not be reduced; that the requirements of the building code as to floor load need not be complied with, provided the requirements as to floor loads for residential occupancy are complied with and that this modification shall apply only so long as the business occupancy continues as proposed.

1164-39-A.

APPLICANT—Sack Chemical Co., for Consolidated Management Corp., owner (Leo Feldman, Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—114 West 30th street, south side, 176 ft. west of Sixth avenue (Block No. 805, Lot No. 71), Borough of Manhattan.

APPEARANCES—

For Applicant: Emmanuel Sack.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1164-39-A)

WHEREAS, Sack Chemical Co., for Consolidated Management Corp., owner (Leo Feldman, Inc., lessee), filed on September 22, 1939, an appeal from an order and decision of the Fire Commissioner, affecting premises 114 West 30th street, south side, 176 ft. west of Sixth avenue (Block No. 805, Lot No. 71), Borough of Manhattan; and

WHEREAS, Order No. 18285-LC, issued by the Fire Commissioner, dated July 21, 1939, reads:

"With reference to your application of recent date for a permit to manufacture an inflammable or a combustible mixture at above location, I regret to inform you that this department is without power to grant such a permit for the reason:

Section C19-59.0-B-1, Art. 9 and Art. 10-C-19-62.0.a of the Administrative Code prohibits the issuance of such permit for any building which is situated within fifty feet of the nearest wall of any building occupied as a school, etc.

YOU ARE THEREFORE, HEREBY, ADVISED THAT

(1) The manufacture of an inflammable or a combustible mixture on these premises without a permit is prohibited by Section C-19-58.0, Article 9 and Section C-19-61.0 of Article 10, New York City Administrative Code."

and

WHEREAS, the said order was referred to in a decision by the Fire Commissioner dated September 21, 1939; and

WHEREAS, the building is six stories (75 ft.) in height, 61 ft. by 95 ft. in area, of Class 3 construction, located in an unrestricted use district, equipped with a sprinkler system, erected in 1892 and occupied: Cellar, storage of raw furs and skins and the storage and manufacture of chemicals; 1st floor, storage and sale of chemicals, 3 persons; 2nd floor, printer, 4 persons; 3rd floor, machine shop, 3 persons; 4th floor, manufacture of raincoats, 5 persons; 5th floor, manufacture of pocketbooks, 4 persons; 6th floor, manufacture of dresses, 20 persons; and

WHEREAS, the applicant contends that no combustible mixture is manufactured on the premises; that the process consists of adding a dye to a drum of synasol; that at no time is there more than one steel drum of synasol on the premises; that such material is kept in the basement and is located 60 ft. from the adjoining school with two building walls intervening; that the drum of synasol is kept closed tight at all times; that drip pans are provided; that sand pails and carbon tetrachloride extinguishers are maintained on the premises.

Resolved, that the order of the fire commissioner, No. 18285-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall at no time be more than one drum of synasol; that such drum shall be maintained only in the basement; that there shall be no mixing compartment, but that such material may be permitted to be drawn off into approved containers; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner and that such portable fire-fighting equipment shall be maintained on the premises as the fire commissioner shall direct; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1211-39-A.

APPLICANT—Herman Kron, for Brooklyn and Queens Transit Corporation, owner (Crown Parking Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—43 Crown street, north side, 100 ft. west of Franklin avenue (Block No. 1189, Lot No. 31), Borough of Brooklyn.

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APPEARANCES—

For Applicant: Herman Kron and Morris M. Mintz.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE TO GRANT—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1211-39-A)

WHEREAS, Herman Kron, for Brooklyn and Queens Transit Corporation, owner (Crown Parking Corporation, lessee), filed on September 29, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 43 Crown street, north side, 100 ft. west of Franklin avenue (Block No. 1189, Lot No. 31), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on B.N. No. 5908-39, dated September 27, 1939, reads:

"Proposed gasoline station, parking and storage of more than five cars on a lot partly in a business use district and partly in an unrestricted use district is contrary to B.Z. Res. Art. II 4a, sub. 15 and 46. Proposition denied."

and

WHEREAS, the premises consist of a plot 150 ft. by 250 ft. in area, located partly in an unrestricted and partly in a business use district, upon which it is proposed to erect a one story office of angle iron frame construction, 11 ft. in height, 10 ft. by 10 ft. in area. The premises are now occupied for the parking and storage of more than five motor vehicles; it is proposed to occupy the premises for the storage and parking of more than five motor vehicles and a gasoline service station all in the unrestricted portion of the plot. It is proposed to separate, by the erection of a fence, the westerly portion of the plot, which is in the unrestricted use district, from the easterly portion which is in the business use district; and

WHEREAS, the applicant contends that B.N. No. 5908-39 was filed for permission to erect and maintain a gasoline service station in conjunction with the parking and storage space operated on the unrestricted portion of the plot; that the proposed fence separating the business portion from the unrestricted use portion was shown on plan accompanying said building notice; that it is not the intention to occupy the business area contrary to the building zone resolution. An interpretation of the building zone resolution is requested, so as to permit the use proposed. The fence to be erected on the use district dividing line will be of the size and construction required by the board; and

WHEREAS, in the opinion of the board, the proposed use is a legal use under the zoning resolution, but that as proposed, a substantial fence should be maintained at all times on the line separating the unrestricted from the business use, so as to assure that there shall be no extension beyond the permitted use in the unrestricted district extending to the business district; that such fence shall consist of substantial wooden or iron posts with heavy woven wire to a total height of not less than 6 feet for the full depth of the lot from the rear line to the building line or of a fence or wall considered equally as substantial by the borough superintendent of buildings;

Resolved, that the decision of the borough superintendent on B.N. No. 5908-39 be and it hereby is reversed in view of the proposal of the applicant and that the appeal be and it hereby is granted.

1223-39-A.

APPLICANT—Ernest L. Pruden, for August Schierloh, owner (Jerome Markets, Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—3472 Jerome avenue, east side, 228.35 ft. south of East Gun Hill road (Block No. 3327A, Lot No. 100), Borough of The Bronx.

APPEARANCES—

For Applicant: Ernest L. Pruden and Joseph Hughes.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1223-39-A)

WHEREAS, Ernest L. Pruden, for August Schierloh, owner (Jerome Markets, Inc., lessee), filed on October 5, 1939, an appeal from an order and decision of the Fire Commissioner, affecting premises 3472 Jerome avenue, east side, 228.35 ft. south of East Gun Hill road (Block No. 3327A, Lot No. 100), Borough of The Bronx; and

WHEREAS, the order of the Fire Commissioner, No. 1882-LF, issued August 10, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Adm. Code."

and

WHEREAS, said order was referred to in a decision of the Fire Commissioner dated October 4, 1939; and

WHEREAS, the building is one story (14 ft.) in height, 30 ft. by 99 ft. 6 in. in area, of nonfireproof construction; erected in 1931; located in a business use district and occupied: Cellar, storage, 0 persons; 1st floor, store, 12 persons, pursuant to Certificate of Occupancy No. 822-31; and

WHEREAS, the applicant contends that this building is only one story and cellar in height; that the cellar contains no combustibles and is used for the storage of fruits and vegetables only; that in the front is an entrance to the cellar, which is used as a chute; that there is also a stair in front of the building leading from 1st floor to cellar; that the cellar ceiling is fire-retarded with ½-inch plaster boards on 3 in. by 12 in. joists.

Resolved, that the order of the fire commissioner, No. 1882-LF, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25% in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under fire department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 inches above the sidewalk and that the cap of this hose inlet and sign stating area covered, shall be painted aluminum.

1226-39-A.

APPLICANT—A. Paul Loshen, for Roth Developments Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

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PREMISES AFFECTED—48-06, 48-12, 48-16, 48-20 and 48-24 Fresh Meadow road, northwest corner of Pidgeon Meadow road and west side of Fresh Meadow road, 91.08 ft., 131.08 ft., 171.08 ft. and 211.08 ft. north of Pidgeon Meadow road (Block No. 5577, Lot No. 35), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Leonard Lazarus, Sterling M. Palm and Abraham A. Roth.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1226-39-A)

WHEREAS, A. Paul Loshen, for Roth Developments, Inc., owner, filed on October 6, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 48-06, 48-12, 48-16, 48-20 and 48-24 Fresh Meadow road, northwest corner of Pidgeon Meadow road, and west side of Fresh Meadow road, 91.08 ft., 131.08 ft., 171.08 ft. and 211.08 ft. north of Pidgeon Meadow road (Block No. 5577, Lot No. 35), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, dated September 12, 1939, re N.B. Application Nos. 7076, 7077, 7078, 7080, 7082, 7083 and 7084-39, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and

WHEREAS, the premises, located in unrestricted use, "C" and "D" area districts, consist of a plot fronting 278.78 ft. on the west side of Fresh Meadow road and 153.98 ft. on the east side of Pidgeon Meadow road, which it is proposed to subdivide into five separate lots and to erect on each of four said lots, a 1½ story, frame one-family dwelling, 22 ft. by 38 ft. 6 in. in area and a one story private garage and on the fifth lot to erect a one-story, one-family dwelling with attached garage; and

WHEREAS, the applicant contends that the construction of an entire community of frame residences in this area is a reasonable and proper use and that no fire hazard can be found in the existence of frame residences adjacent to other buildings of identical construction and materials; that the buildings are to be erected of brick veneer on the front elevation up to the plate line with gable ends of clapboards, stucco on metal lath, asbestos shingles or brick veneer; side and rear elevation will be brick veneer, stucco and metal lath, clapboards or asbestos shingles; roofs throughout will be surfaced with asphalt shingles, private garages to be constructed of masonry with frame front gables, surfaced on the roofs with asphalt shingles.

Resolved, that the decisions of the borough superintendent on N.B. Applic. Nos. 7076, 7077, 7078, 7079, 7080, 7081, 7082, 7083 and 7084-39, be and they hereby are modified and that the appeal be and it hereby is granted on condition that each building shall be constructed substantially as set forth on revised plans filed October 25, 1939, and shall comply with the zoning requirements for an "F" area district and for residential buildings outside the fire limits; that the buildings shall be restricted to residential use only, limited in occupancy to one-family each; that the distance between buildings on adjoining lots shall be in no case less than 12 feet, except that the corner building may have a front yard not less than 10 ft. in depth; that a garage for the use of the residents of each lot may be erected not nearer than 1 foot to a lot line; that uncovered steps to rear or side entrance may extend into rear or side yards not more than 3 ft.; that the entrance vestibules may extend into the front yards for a distance of not more than 5 ft.,

provided same are not more than one story in height with uncovered steps extending in front thereof not more than 4 ft. additional; that the setbacks for the buildings to be located on the corner lot shall not be less than 5 ft. from the street building line at any point; that the buildings shall be surfaced with masonry veneer on the front elevation up to the plate line with gable ends of frame, stucco on metal lath, asbestos shingles or masonry veneer; that the side and rear elevations shall be of clapboards, stucco on metal lath, asbestos shingles or masonry veneer; that the garages shall be of similar construction corresponding with the requirements for the residences or may be constructed of masonry up to the plate line with frame front gables surfaced with clapboards, stucco or asbestos shingles.

1227-39-A.

APPLICANT—A. Paul Loshen, for Roth Developments Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—49-12, 49-16, 49-20, 49-24, 49-28 and 49-32 Utopia parkway, northwest corner of Peck avenue and west side of Utopia parkway, 42 ft., 82 ft., and 122 ft., north of Peck avenue and 102.04 ft. and 146.18 ft. south of Underhill avenue (Block No. 5590, Lot Nos. 19, 50 and 54), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Leonard Lazarus, Sterling M. Palm and Abraham A. Roth.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1227-39-A)

WHEREAS, A. Paul Loshen, for Roth Developments, Inc., owner, filed on October 6, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 49-12, 49-16, 49-20, 49-24, 49-28 and 49-32 Utopia parkway, northwest corner Peck avenue and west side of Utopia parkway, 42 ft., 82 ft., and 122 ft. north of Peck avenue and 102.04 ft. and 146.18 ft. south of Underhill avenue (Block No. 5590, Lot Nos. 19, 50 and 54), Flushing, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent, dated September 8, 1939, re N.B. Application Nos. 6900 to 6911-39, inclusive, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and

WHEREAS, the premises, located in unrestricted use, "C" and "D" area districts, consists of a plot fronting 244.14 ft. on the west side of Utopia parkway between Peck avenue and a point 102.04 ft. south of Underhill avenue with a depth of 100 ft. from Utopia parkway, which it is proposed to subdivide into six separate lots and to erect on each lot, a 1½ story, frame one-family dwelling, 22 ft. by 38 ft. 6 in. in area and a one-story private garage; and

WHEREAS, the applicant contends that the construction of an entire community of frame residences in this area is a reasonable and proper use and that no fire hazard can be found in the existence of frame residences adjacent to other buildings of identical construction and materials; that the buildings are to be erected of brick veneer on the front elevation up to the plate line with gable ends of clapboards, stucco on metal lath, asbestos shingles or brick veneer; side and rear elevation will be brick veneer, stucco and metal lath, clapboards or asbestos shingles; roofs throughout will be surfaced with asphalt shingles, private garages to be

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constructed of masonry with frame front gables, surfaced on the roofs with asphalt shingles.

Resolved, that the decisions of the Borough Superintendent on N.B. Applic. Nos. 6900 to 6911-39, inclusive, be and they hereby are *modified*, and that the appeal be and it hereby is *granted on condition* that each building shall be constructed substantially as set forth on plans marked "Received October 6, 1939" and shall comply with the zoning requirements for an "F" area district and for residential buildings outside the fire limits; that the buildings shall be restricted to residential use only, limited in occupancy to one family each; that the distance between buildings on adjoining lots shall be in no case less than 15 feet, except that the corner building may have a side yard averaging not less than 6 ft. in width; that a garage for the use of the residents of each lot may be erected not nearer than 1 foot to a lot line; that uncovered steps to side entrances may extend into side yards not more than 3 feet; that the entrance vestibules may extend into the front yards for a distance of not more than 5 feet, provided same are not more than one story in height with uncovered steps extending in front thereof not more than four feet additional; that the buildings shall be erected with brick veneer on the front elevation up to the plate line with gable ends of frame construction, stucco on metal lath, asbestos shingles or brick veneer; that the side and rear elevations shall be of clapboards, stucco on metal lath, asbestos shingles or masonry veneer; that the garages shall be of similar construction corresponding with the requirements for the residences or may be constructed of masonry up to the plate line with frame front gables surfaced with clapboards, stucco or asbestos shingles.

1228-39-A.

APPLICANT—A. Paul Loshen, for Roth Developments Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—49-03, 49-07, 49-15, 49-19, 49-23, 49-27 and 49-31 Utopia parkway, southeast corner of Underhill avenue and northeast corner of Peck avenue and east side of Utopia parkway, 50 ft., 90 ft., 130 ft., south of Underhill avenue and 40 ft., 80 ft., and 120 ft., north of Peck avenue (Block No. 5636, Lot Nos. 1, 8 and 12), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Leonard Lazarus, Sterling M. Palm and Abraham A. Roth.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1228-39-A)

WHEREAS, A. Paul Loshen, for Roth Developments, Inc., owner, filed on October 6, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 49-03 to 49-31 Utopia parkway, east side, between Underhill avenue and Peck avenue (Block No. 5636, Lot Nos. 1, 8 and 12), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, re N.B. Applic. Nos. 6944 to 6959-39, inclusive, dated September 8, 1939, read:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code." and

WHEREAS, the premises, located in unrestricted use, "C" and "D" area districts, consist of a plot fronting 330.84 ft.

on the east side of Utopia parkway between Peck and Underhill avenues with a depth of 100 ft. from Utopia parkway, which it is proposed to subdivide into eight separate lots and to erect on each lot, a 1½ story frame one-family dwelling, 22 ft. by 38 ft. 6 in. in area and a one-story private garage; and

WHEREAS, the applicant contends that the construction of an entire community of frame residences in this area is a reasonable and proper use and that no fire hazard can be found in the existence of frame residences adjacent to other buildings of identical construction and materials; that the buildings are to be erected of brick veneer on the front elevation up to the plate line with gable ends of clapboards, stucco on metal lath, asbestos shingles or brick veneer; side and rear elevation will be brick veneer, stucco and metal lath, clapboards or asbestos shingles; roofs throughout will be surfaced with asphalt shingles, private garages to be constructed of masonry with frame front gables, surfaced on the roofs with asphalt shingles.

Resolved, that the decisions of the Borough Superintendent on N. B. Applic. Nos. 6944 to 6959-39 inclusive, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that each building shall be constructed substantially as set forth on plans marked "Received October 6, 1939" and shall comply with the zoning requirements for an "F" area district and for residential buildings outside the fire limits; that the buildings shall be restricted to residential use only, limited in occupancy to one family each; that the distance between buildings on adjoining lots shall be in no case less than 15 feet; that the corner buildings may have side yards not less than 10 ft. in width; that a garage for the use of the residents of each lot may be erected not nearer than 1 foot to a lot line; except that the garages on the corner lots shall be not nearer than 3 ft. to the street line of Underhill or Peck avenues; that entrance vestibules not more than one story in height may extend into front yards for a distance of not more than 5 ft. with uncovered steps extending in front thereof not more than four feet additional; that uncovered steps to side entrances may extend into side yards not more than 3 ft.; that the buildings shall be erected with masonry veneer on the front elevation up to the plate line with gable ends of frame, stucco on metal lath, asbestos shingles or masonry veneer; that the side and rear elevations shall be of clapboards, stucco on metal lath, asbestos shingles or masonry veneer; that the garages shall be of similar construction corresponding with the requirements for the residences or may be constructed of masonry up to the plate line with frame front gables surfaced with clapboards, stucco or asbestos shingles.

1229-39-A.

APPLICANT—A. Paul Loshen, for Roth Developments, Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—49-38, 49-42, 49-44, 49-48, 49-52, 49-54, 49-58, 49-62, 49-66 and 49-70 Utopia parkway, southwest corner of Peck avenue and northwest corner of 50th avenue, west side of Utopia parkway, 32 ft., 71 ft., 110 ft., and 149 ft., south of Peck avenue and 16 ft., 55 ft., 94 ft., and 133 ft., north of 50th avenue (Block No. 5592, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Leonard Lazarus, Sterling A. Palm and Abraham A. Roth.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

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THE RESOLUTION—

(1229-39-A)

WHEREAS, A. Paul Loshen, for Roth Developments, Inc., owner, filed on October 6, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 49-38 to 49-70 Utopia parkway, west side, between Peck and 50th avenues (Block No. 5592, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. Application Nos. 6912 to 6931-39 inclusive, dated September 8, 1939, read:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the premises, located in unrestricted use, "C" and "D" area districts, consist of a plot fronting 360.06 ft. on the west side of Utopia parkway to a depth of 100 ft. therefrom, which it is proposed to subdivide into ten separate lots and to erect on each lot, a 1½ story, frame one-family dwelling, 22 ft. by 38 ft. 6 in. in area and a one-story private garage; and

WHEREAS, the applicant contends that the construction of an entire community of frame residences in this area is a reasonable and proper use and that no fire hazard can be found in the existence of frame residence adjacent to other buildings of identical construction and materials; that the buildings are to be erected of brick veneer on the front elevation up to the plate line with gable ends of clapboards, stucco on metal lath, asbestos shingles or brick veneer; side and rear elevations will be brick veneer, stucco and metal lath, clapboards or asbestos shingles, roofs throughout will be surfaced with asphalt shingles, private garages to be constructed of masonry with frame front gables, surfaced on the roofs with asphalt shingles.

Resolved, that the decisions of the Borough Superintendent on N.B. Applic. No. 6912 to 6931-39 inclusive, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that each building shall be constructed substantially as set forth on plans marked "Received October 6, 1939" and shall comply with the zoning requirements for an "F" area district and for residential buildings outside the fire limits; that the buildings shall be restricted to residential use only, limited in occupancy to one family each; that the distance between buildings on adjoining lots shall be in no case less than 12 feet; that the side yards may have uncovered steps extending therein for a distance not exceeding four (4) feet; that a garage for the use of the residents of each lot may be erected not nearer than 1 foot to a lot line; that the entrance vestibules may extend into the front yards for a distance of not more than 5 feet, provided same are not more than 1 story in height with uncovered steps extending in front thereof not more than 4 feet additional; that the buildings shall be erected of brick veneer on the front elevation up to the plate line with gable ends of frame, stucco on metal lath, asbestos shingles or masonry veneer; that the side and rear elevations shall be of clapboards, stucco on metal lath, asbestos shingles or masonry veneer; that the garages shall be of similar construction corresponding with the requirements for the residences or may be constructed of masonry up to the plate line with frame front gables surfaced with clapboards, stucco or asbestos shingles; except that the side yards on the corner buildings on 50th avenue and Peck avenue shall be not less than 6 feet in width, except that from the front of the house on 50th avenue, the side yard may be reduced for a depth of 10 feet to a width of not less than 3 feet.

1230-39-A.

APPLICANT—A. Paul Loshen, for Roth Developments Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—49-37, 49-41, 49-45, 49-49, 49-53 and 49-57 Utopia parkway, southeast corner of Peck avenue and northeast corner of 50th avenue and east side of Utopia parkway, 50 ft. and 90 ft. south of Peck avenue and 77 ft. and 117 ft. north of 50th avenue (Block No. 5637, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Leonard Lazarus, Sterling A. Palm and Abraham A. Roth.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1230-39-A)

WHEREAS, A. Paul Loshen, for Roth Developments Inc., owner, filed on October 6, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 49-37 to 49-57 Utopia parkway, east side, between Peck avenue and 50th avenue (Block 5637, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent on N. B. Application Nos. 6932 to 6943-39 inclusive, dated September 8, 1939, read:

"The erection of a frame building within the fire limits is contrary to section 4-1-2 of the Bldg. Code."

and

WHEREAS, the premises, located in an unrestricted use, "C" and "D" area districts, consist of a plot fronting 287.36 ft. on the east side of Utopia parkway to a depth of 100 ft. therefrom, which it is proposed to subdivide into one 50 ft., four 40 ft. and one 77.36 ft. lots and to erect on each lot, a 1½ story, frame one-family dwelling, 22 ft. by 38 ft. 6 in. in area and a one-story private garage; and

WHEREAS, the applicant contends that the construction of an entire community of frame residences in this area is a reasonable and proper use and that no fire hazard can be found in the existence of frame residences adjacent to other buildings of identical construction and materials; that the buildings are to be erected of brick veneer on the front elevation up to the plate line with gable ends of clapboards, stucco on metal lath, asbestos shingles or brick veneer; side and rear elevations will be brick veneer, stucco and metal lath, clapboards or asbestos shingles; roofs throughout will be surfaced with asphalt shingles, private garages to be constructed of masonry with frame front gables, surfaced on the roofs with asphalt shingles.

Resolved, that the decisions of the Borough Superintendent on N. B. Applic. Nos. 6932-39 to 6943-39, inclusive, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that each building shall be constructed substantially as set forth on plans marked "Received October 6, 1939" and shall comply with the zoning requirements for an "F" area district and for residential buildings outside the fire limits; that the buildings shall be restricted to residential use only, limited in occupancy to one family each; that the distance between buildings on adjoining lots shall be in no case less than 15 feet, side yards may have uncovered steps extending therein for a distance not exceeding four (4) feet; that a garage for the use of the residents of each lot may be erected not nearer than 1 foot to a lot line; that the entrance vestibules may extend into the front yards for a distance of not more than 5 feet, provided the same are not more than one story in height with uncovered steps extending in front thereof not more than four feet additional; that the setbacks for the houses to be located on the corner lot shall not be less than four feet from the street building line at any point; that the buildings shall be erected with brick

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veneer on the front elevation up to the plate line with gable ends of frame, stucco on metal lath, asbestos shingles or masonry veneer; that the side and rear elevations shall be of clapboards, stucco on metal lath, asbestos shingles or masonry veneer; that the garages shall be of similar construction corresponding with the requirements for the residences or may be constructed of masonry up to the plate line with frame front gables surfaced with clapboards, stucco or asbestos shingles, except that on the corner lots, no part of the garages shall be nearer than 3 feet to the street building line.

1244-39-A.

APPLICANT—Arthur F. Winter, for Irving and Samuel Greenberg, owners (F. W. Woolworth Co., Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1406-1410 Kings Highway, south side, 25 ft., 4½ in., east of East 14th street (Block No. 6797, Lot No. 101), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles C. Arthurs.

For Administration: Thomas E. Larkin, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1244-39-A)

WHEREAS, Arthur F. Winter, for Irving and Samuel Greenberg, owners, (F. W. Woolworth Co., Inc., lessee), filed on October 9, 1939, an appeal from an order and decision of the Fire Commissioner, affecting premises 1406-1410 Kings Highway, south side, 25 ft. 4½ in. each of East 14th street (Block No. 6797, Lot No. 101), Borough of Brooklyn; and

WHEREAS, Order No. 2846-LF, issued by the Fire Commissioner June 14, 1939, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, the said order was referred to in a decision of the Fire Commissioner dated September 8, 1939; and

WHEREAS, the building is one story (15 ft.) in height, 59 ft. 10½ in. by 101 ft. 1¼ in. in area, of nonfireproof construction; erected in a business use district; erected in 1928; occupied: Cellar—storage; 1st floor, sales, 500 persons; and

WHEREAS, the applicant contends that there are two fireproof enclosed stairways leading from the basement to the first floor; that there is a sidewalk freight elevator at the front of the basement; that ventilator openings have been provided in the show window bulkheads; that all rooms in the basement are enclosed in fireproof material; that the merchandise carried in the basement is common to the 5 and 10c. store occupancy; that all aisles are 3 ft. wide and are kept clear at all times and that the basement ceiling is fire-retarded.

Resolved, that the order of the fire commissioner, No. 2846-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed within the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that such sprinkler system need not be installed in the boiler room or cold storage room, provided such rooms are separated from the balance of the cellar by fireproof construction with fireproof self-closing

doors and except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25% in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1¼ inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under fire department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 inches above the sidewalk and that the cap of this hose inlet and sign stating area covered, shall be painted aluminum.

1262-39-A.

APPLICANT—Estates Construction Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—75-72, 75-68 and 75-64 187th street, northwest corner of Union Turnpike and west side of 187th street, 100.18 ft. and 124.35 ft. north of Union Turnpike (Block No. 7203, Lot No. 30), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Henry S. Salomon and Paul Roth.

For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1262-39-A)

WHEREAS, Estates Construction Corporation, owner, filed on October 16, 1939, an appeal from decisions of the Borough Superintendent of Buildings, affecting premises 75-72, 75-68 and 75-64 187th street, northwest corner of Union turnpike and west side of 187th street, 100.18 ft. and 124.35 ft. north of Union turnpike (Block No. 7203, Lot No. 30), Flushing, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent on N. B. Applic. Nos. 7875, 7879 and 7887-39, dated October 5, 1939, read:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 100.18 ft. on Union turnpike and 124.35 ft. on 187th street, which it is proposed to subdivide into three separate lots and to erect on each of two of said lots a one-family frame dwelling, 2 stories in height, and a private garage, and on the third of said lots, to erect a 2-story one-family frame dwelling with attached garage. The buildings will be surfaced on the exterior of the first story with masonry veneer and on the second story with stucco on metal lath, wood siding or asbestos shingles. The garages will have frame gables. All buildings will be surfaced with natural slate roofs; and

WHEREAS, the applicant contends that the area in which the buildings are to be erected is rural in character and under restrictions now on record, which restrictions were placed at the request of the Federal Housing Administration; that the land upon which the buildings are to be erected is restricted to one-family dwellings; that the use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon would constitute a detriment and eyesore to the neigh-

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borhood for many years to come, for the plot may never have any commercial value.

Resolved, that the decisions of the Borough Superintendent, on N. B. Nos. 7875, 7879 and 7887-39, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that each building shall be constructed substantially as set forth on plans filed herein and shall comply with all the requirements for a building erected outside the fire limits and shall comply with all requirements for an "F" area district; that it shall be restricted to residential use only, for one family each; that the distance between the buildings on adjoining lots shall in no case be less than 10 feet, except that entrance vestibules may extend into the front or side yards for a distance of not more than 5 feet, provided same are not more than 1 story in height and that steps to entrances may extend into the front or side yards, interior yard area, provided same are uncovered for a distance of not over 5 feet; that chimney breasts may extend into the yard area for a distance of not more than 2 ft. 6 in. in depth; that these buildings shall be veneered with masonry up to the height of the 1st story; that the roofs shall be surfaced with natural slate; that on the building at the corner of Union turnpike and 187th street, the side yard along Union turnpike shall average not less than 14 feet in width; that in the event the owner desires to construct an unattached garage on each plot for the exclusive use of the residents of the building, such garage shall conform to the general construction of the residential building and shall be not nearer than 1 ft. to any side lot line and the front gable ends of garages may be of frame, surfaced with wire lath and stucco or made of clapboard.

1263-39-A.

APPLICANT—Estates Construction Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—75-63, 75-67 and 75-71 187th street, northeast corner of Union Turnpike and east side of 187th street, 100.19 ft. and 133.45 ft. north of Union Turnpike (Block No. 7204, Lot No. 30), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Henry S. Salomon and Paul Roth.
For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1263-39-A)

WHEREAS, Estates Construction Corporation, owner, filed on October 16, 1939, an appeal from decisions of the Borough Superintendent of Buildings, affecting premises 75-63, 75-67 and 75-71 187th street, northeast corner Union turnpike and east side of 187th street, 100.19 ft. and 133.45 ft. north of Union turnpike (Block No. 7204, Lot No. 30), Flushing, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent on N. B. Applic. Nos. 7870, 7873 and 7878-39, dated October 5, 1939, read:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot fronting 100.19 ft. on Union turnpike and 133.45 ft. on 187th street, which it is proposed to subdivide into three separate lots and to erect on each of two said lots a one-family frame dwelling, 2 stories in height, and a private garage and to erect on the third of said lots, a two-story one-family frame dwelling with attached garage. The buildings will be sur-

facied on the exterior of the first story with masonry veneer and on the second story with stucco on metal lath, wood siding or asbestos shingles. The garages will have frame gables. The roofs of all buildings will be surfaced with natural slate; and

WHEREAS, the applicant contends that the area in which the buildings are to be erected is rural in character and under restrictions now on record, which restrictions were placed at the request of the Federal Housing Administration; that the land upon which the buildings are to be erected is restricted to one-family dwellings; that the use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon, would constitute a detriment and eyesore to the neighborhood for many years to come, for the plot may never have any commercial value.

Resolved, that the decisions of the Borough Superintendent, on N. B. Nos. 7870, 7873 and 7878-39, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that each building shall be constructed substantially as set forth on plans filed herein and shall comply with all the requirements for a building erected outside the fire limits and shall comply with all requirements for an "F" area district; that it shall be restricted to residential use only, for one family each; that the distance between the buildings on adjoining lots shall in no case be less than 10 feet, except that entrance vestibules may extend into the front or side yards for a distance of not more than 5 feet, provided same are not more than 1 story in height; and that steps to entrances may extend into the front or side yards, interior yard area, provided same are uncovered for a distance of not over 5 feet; that chimney breasts may extend into the yard area for a distance of not more than 2 ft. 6 in. in depth; that these buildings shall be veneered with masonry up to the height of the 1st story; that the roofs shall be surfaced with natural slate; that on the building at the corner of Union turnpike and 187th street, the side yard along Union turnpike shall average not less than 14 feet in width; that in the event the owner desires to construct an unattached garage on each plot for the exclusive use of the residents of the building, such garage shall conform to the general construction of the residential building and shall be not nearer than 1 ft. to any side lot line and the front gable ends of garages may be of frame, surfaced with wire lath and stucco or made of clapboard.

1296-39-A.

APPLICANT—Leonard C. L. Smith, for Elbridge Homes, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Northwest corner of 69th place and 60th street (Block No. 2831, part of Lot No. 1), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Leonard C. L. Smith.
For Administration: Joseph Ferro, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE TO GRANT—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1296-39-A)

WHEREAS, Leonard C. L. Smith, for Elbridge Homes, Inc., owner, filed October 19, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises Northwest corner 69th place and 60th avenue (Block No. 2831, part of Lot No. 1), Maspeth, Borough of Queens; and

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WHEREAS, the decision of the borough superintendent (Cor. No. 956-39), dated October 2, 1939, reads:

"In reply to your letter of September 27th, 1939, please be advised that we feel, as we have stated before, that the Administrative Code does not permit the construction of any buildings, except light frame buildings, on filled ground. The Board of Standards and Appeals Case No. 403-39-A cannot be taken as a general decision and therefore we feel that it would be necessary if you wish to appeal our decision on this location to present a new case to the Board of Standards and Appeals based on the facts in this case."

and

WHEREAS, the applicant states that this decision refers to new building applications 5881 to 5895-39; and

WHEREAS, the premises consists of a plot 345.02 ft. by 100 ft. in area located in a residence use "D" area district, on which it is proposed to erect a series of 15 attached one-story and basement one family dwellings with garage in basement, of Class 3 construction; and

WHEREAS, the applicant contends that the Code does not intend to prevent the building of any but light frame structures on fill, but merely to prevent the determination of its bearing capacity in any other manner than that set forth in detail in Sections C26-377.0 and C26-378.0 of the Code; and

WHEREAS, in the opinion of the Board, the provisions of Art. 5, covering the bearing value of soils, of the Administrative Code, Sections C26-377.0, and C26-378.0, empower the Borough Superintendent to require such tests as he may deem necessary, so that an allowable bearing capacity per square foot can be determined by him even though no presumptive bearing capacity for filled ground is provided for in the Administrative Code.

Resolved, that the decision of the Borough Superintendent on N. B. Applic. Nos. 5881 to 5895-39, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*.

VARIATION OF LABOR LAW

169-21-S.

APPLICANT—Robt. R. Rainey Co., Inc., agents for Estate of David S. Walton, owner.

SUBJECT—Application for consideration—reopening and amendment—re Variation of the labor law as cited in an order of the commissioner of buildings.

PREMISES AFFECTED—132-142 Franklin street and 1-9 Varick street, northwest corner (Block No. 189, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Y. Pierre Brundin.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(169-21-S)

WHEREAS, Samuel Rosenblum, for D. S. Walton and Co., owner, filed, February 7, 1921, an application with the Board of Standards and Appeals, for variation of the requirements of the labor law as cited in orders of the fire commissioner, affecting premises 132-42 Franklin street and 1-9 Varick street, northwest corner (Block No. 189, Lot No. 1), Borough of Manhattan; and

WHEREAS, the orders of the fire commissioner read:

"No. 17722-LD. 1. Enclose the interior stairways at northwest corner of 132-4 and west side of 136-42 buildings, serving as a required means of exit, and the landings, platforms and passageways connecting there-

with on all sides, with partitions of fire resisting material extending continuously from the 1st story to 3 ft. above the roof, constructed as per sections 79-B-2 and 79-B-3 of the labor law, or carry out a proper alternative method of complying with the requirements of section 79-B-1 of the labor law.

"2. Extend the interior stairways at northwest corner of 132-4, west side of 136-42 buildings to the roof, as per sections 79-B-2 and 79-C-1 of the labor law.

"3. Extend the interior stairway at the west side of 136-42 building from the 2nd story to the 1st story, said stairways and the landings, platforms and passageways connecting therewith to be enclosed on all sides with partitions of fire resisting material extending continuously from the 2nd story to 3 ft. above the roof, and provide a fire resisting passageway leading from the termination of the stairway to the street, as per sections 79-B-2 and 79-B-3 of the labor law, or carry out a proper alternative method of complying with the requirements of section 79-B-1 of the labor law";

and

WHEREAS, the premises consists of two buildings, each non-fireproof, six stories in height, with a total frontage of 121 ft. 9 in. and a depth of 100 ft. and 80 ft. respectively, occupied in the 1st story, stores and shipping; upper floors, storage and printing of paper bags and stock, number of employees, No. 132-34; 2nd floor, 25 persons; 3rd floor, 25; 4th floor, 0; 5th floor, 0; 6th floor, 0; No. 136-42, 2nd floor, one person; 3rd floor, 8 persons; 4th floor, 6 persons; 5th floor, 6 persons; 6th floor, 14 persons; the buildings being equipped with a sprinkler system and a fire alarm signal system; the means of egress consisting of an interior stairway in the westerly building extending from the 2nd story to the 6th story, enclosed in wood board partitions; and interior stairway in the easterly building extension from the 1st story to the 2nd story at the front and from the 2nd story to the 6th story at rear; enclosed in the 4th story only; two openings in the division wall between the easterly and westerly buildings in each story except the 1st story with self-closing fireproof doors at the openings; a fire escape on the rear accessible to both buildings and a party wall fire escape on the front of the building connecting both buildings; the roofs of the buildings adjoining being at same height as roof of building in question; and

WHEREAS, applicant contends that owing to the sprinkler system and fire alarm signal system and the horizontal exits, the means of egress should be deemed adequate; and

WHEREAS, this application was granted by the board at its meeting April 5, 1921, on certain conditions and owner's representative requested a modification of these conditions, which request was granted by vote of the board, and applicant then requested a further modification as to stair enclosures; and under date of May 21, 1937, requested an amendment as to horizontal exits, the commissioner of buildings having issued order No. 31120-LD, reading:

"1. Extend the interior stairway to roof, Section 271 labor law.

"2. Enclose the interior stairway from cellar to roof with fire resisting partitions, doors fireproof self-closing opening outwardly Section 271 labor law.

"3. Extend stairway to street through an unobstructed passageway enclosed with fire resisting partitions, street doors from stairway to open out, Section 271 labor law.

"4. Arrange party iron balconies front of building to conform with section 274 labor law."

and

WHEREAS, this application was further modified by the Board June 15, 1937 on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 15, 1937, so that as amended, it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make* a variation from the requirements of

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the labor law and that the application be and it hereby is *granted on condition* that an enclosure making a continuous hallway 3 ft. wide in the clear, be provided around the stairways extending from the second story to the sixth story in building No. 136-142 and from the first story to the sixth story in building No. 132-134, these enclosures to be fire retarded on the loft side, with approved fire retarding material in accordance with the rules for fire retarding material adopted by the Board of Standards and Appeals, with fire doors at all openings; that a scuttle properly counterbalanced and an iron ladder leading thereto be provided to the roof of each building; that an enclosed passageway similarly fire retarded be provided from the foot of the stairs in the second story of building No. 136-142 to the street wall connecting with the exterior balcony; that Order No. 31120-LD, issued by the commissioner of buildings under date of May 18, 1937, be modified on condition that the requirements of the amended resolution of January 17, 1922, shall be complied with and that the exterior fire-escape party-wall balcony on Franklin street shall be reconstructed so as to comply with the requirements of the labor law for an exterior fire-escape with counter-balanced stairway to street and providing thereto legal exit from the areas on either side of the brick fire wall, and that the openings in the fire wall on all floors shall be protected with fireproof, self-closing doors on each side of the wall.

Resolved further, in the event the owner elects in the building at 136-142 to extend the stairway to the street floor with fire-retarded enclosure directly to street, the fire balcony and ladder to street and the fire-retarded passageway on the 2nd floor of the building may be removed."

MATERIALS SUBMITTED FOR APPROVAL

818-38-SM.

APPLICANT—Safety Plaster Sales Corporation, owner.
SUBJECT—Approval of Kaminex Safety Plaster manufactured by Safety Plaster Sales Corporation.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(818-38-SM)

WHEREAS, Safety Plaster Sales Corporation, owner, filed September 23, 1938, an application with the Board of Standards and Appeals for approval of the material known as Kaminex Safety Plaster; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 818-38-SM.

Subject: Approval of Kaminex Safety Plaster.

October 23, 1939.

The Safety Plaster Sales Corporation, filed September 23, 1938, an application with the Board of Standards and Appeals for approval of the Kaminex Safety Plaster, manufactured by the Safety Plaster Sales Corporation, under the provisions of C26-463.0 (8.4.10.7), C26-464.0 (8.4.10.8) and C26-312.0 (7.1.1.7.4) of the Administrative Building Code.

This plaster is used as a bond, base and finish and is furnished in powdered form in bags of one hundred

pounds each. It consists of 80% of calcined plaster of Paris and 20% of asbestos fibre. When used, it is mixed with water to the desired consistency and applied with a trowel to the plaster base $\frac{1}{8}$ in. on brown coat or concrete, $\frac{1}{4}$ in. on plaster-board, $\frac{3}{8}$ in. thickness on wood lath and $\frac{5}{8}$ in. on metal lath.

Tests for adhesion, tension and compression were conducted at Columbia University Testing Laboratories January 2, 1936, the result of which test is a record in this application.

On the basis of this test data, it is recommended that the Kaminex Safety Plaster, be approved for use as a plastering material under C26-463.0 (8.4.10.7), C26-464.0 (8.4.10.8) and C26-312.0 (7.1.1.7.4) Administrative Building Code, on condition that this material shall not be used as a substitute for any plaster on partitions required to have a fire-resistive rating, but may be used as a finish plaster on such partitions over the required scratch, brown and finish coats. It is further recommended that it shall be used without sand on metal lath, that it be applied in accordance with the requirements; that each bag of the material be labelled or marked as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 818-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Kaminex Safety Plaster, *on condition* that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

870-38-SM.

APPLICANT—C. N. Forrest, for Barber Asphalt Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—Barber Built-up Roofs and Asphalt Shingles.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended, in accordance with report of Committee on Tests.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(870-38-SM)

WHEREAS, C. N. Forrest, for the Barber Asphalt Corporation, owner, filed October 10, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Barber Built-Up Roofs and Asphalt Shingles; and

WHEREAS, this material was approved by the Board January 17, 1939, on certain conditions and applicant requested the approval of additional materials; and

WHEREAS, these materials were submitted for test to the Committee on Tests of the Board; and

WHEREAS, the report of the Committee on Tests on these additional materials was as follows:

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REPORT OF COMMITTEE ON TESTS

Re: Cal. 870-38-SM.

Barber Asphalt Corporation Materials.

The Barber Asphalt Corporation, filed a request on August 30, 1939, for the reopening and consideration of additional roof constructions as provided for herein, for approval in accordance with the requirements of the approval granted January 17, 1939 under Cal. 870-38-SM. Test procedure as described in aforementioned approval was repeated on September 22, 1939, on sample roof decks constructed of the following materials on a 4' x 3' wood panel as follows:

New Roof Decks

Test No. 3

To replace test of same number previously withdrawn:

Barber Genasco specification S-R-B

Barber Genasco specification R-10-B

For new construction over wood deck on inclines $\frac{1}{4}$ in. to 6 in. per foot.

Three ply construction comprising 1-30 lb. Genasco Asphalt Saturated Felt Base Sheet laid dry, lapped 2 in. and nailed to wood deck; 2 15 lb. Genasco Asphalt Saturated Felts, lapped 17 in., mopped solid to the base sheet and to each other and then surface coated with Trinidad Roofing Asphalt "S" at the rate of 30 lbs., each mopping, per square.

The brand was consumed in 18 min. 15 sec. with 2 plies consumed and deck charred slightly over an area of 7 in. x 6 in. Photo No. 17.

Equivalent specifications for construction on non-combustible decks are as follows:

Barber Genasco Specification S-R-C

Barber Genasco Specification R-10-C

For new construction over non-combustible decks or rigid insulation, on inclines up to 6 in. per ft. when definite nailing can be provided. Three ply construction comprising 3-15 lb. Genasco Asphalt Saturated Felts lapped 22 inches, and mopped solid to a primed deck and to each other and then surface coated with Trinidad Roofing Asphalt "S" at the rate of 30 lbs., each mopping, per square.

Test No. 4

To replace test of same number previously withdrawn:

Barber Phoenix Specification, 3 Ply P-B

For new construction over wood deck on inclines $\frac{1}{4}$ in. to 6 in.

Three ply construction comprising 1 30 lbs. Phoenix Asphalt Saturated Felt Base Sheet laid dry, lapped 2 in. and nailed to wood deck, 2 14 or 15 lb. Phoenix Asphalt Saturated Felts lapped 19 in., mopped solid to the base sheet and to each other and then surface coated with Phoenix Roofing Asphalt "S" at the rate of 30 lbs., each mopping, per square.

The brand was consumed in 24 min. 20 sec. with 3 plies consumed and deck charred slightly over an area of 2 in. x 2 in. Photo No. 18.

Equivalent specifications for construction on non-combustible decks are as follows:

Barber Phoenix Specification, 3 ply, P-C

For new construction over non-combustible deck or rigid insulation, on inclines up to 6 in. per foot when definite nailing can be provided. Three ply construction comprising 3 14 or 15 lb. Phoenix Asphalt Saturated Felts lapped 24 in. and mopped solid to a primed deck and to each other and then surface coated with Phoenix Roofing Asphalt "S" at the rate of 30 lbs., each mopping, per square.

Test No. 19

Barber Emulmastic Specification B-U-1

For new construction, over wood deck on inclines $\frac{1}{4}$ in. to 6 in. per foot.

Asphalt Mastic Surface, built-up construction, comprising 1 30 lb. Genasco Asphalt Saturated rag felt laid dry, lapped 2 in. and nailed to wood deck; 2 15 lb. Genasco Saturated rag felts lapped 17 in., mopped solid to the base felt and to each other with Trinidad Roofing Asphalt "S" and then surfaced with Emulmastic composition, laid cold, at the rate of 55 lbs. per square.

The brand was consumed in 16 min. 55 sec. with 3 plies consumed and deck charred $\frac{1}{16}$ in. deep over an area of 3 in. x 3 in. Photo No. 19.

Barber Emulmastic Specification B-U-2

For new construction over non-combustible deck or rigid insulation, on inclines up to 3 in. per foot when definite nailing can be provided. Asphalt Mastic surface, built-up construction comprising 3 15 lb. Genasco Asphalt Saturated rag felts, lapped 22 in. and mopped solid to a primed deck and to each other with Trinidad Roofing Asphalt "S" and then surface coated with Emulmastic at the rate of 55 lbs. per square.

Similar specifications combining rag felts and asbestos felt are as follows:

Barber Emulmastic Specification B-U-3

For new construction over wood similar to Specification B-U-1 but in which 1 15 lb. Asphalt Saturated Asbestos felt is substituted for the top layer of 15 lb. rag felt.

Barber Emulmastic Specification B-U-4

For new construction over non-combustible or rigid insulation, similar to Specification B-U-2, but in which 1 15 lb. Asphalt Saturated Asbestos Felt is substituted for the top layer of 15 lb. rag felt.

Test No. 20—Withdrawn

Test No. 20A

Barber Smooth Surface Cap Sheet, Specification CS-PC

For new construction over wood deck and reroofing over at least one layer of old, bituminous roofs on inclines up to 1 in. per foot. Three ply construction comprising 2 14 or 15 lb. Phoenix Asphalt Saturated Felts lapped 19 in., nailed to wood deck with laps laid in Barber Plastic Cement, and 1 34 lb. cap-sheet of Asphalt Saturated and Coated roll roofing lapped 2 in. and laid in Barber Plastic Cement over the underlying base felts.

The brand was consumed in 21 min. 25 sec. with 3 plies consumed and deck charred $\frac{1}{8}$ in. over an area of 6 in. x 6 in. Photo No. 20A.

Heavier constructions using asphalt saturated and coated roll roofings as cap-sheet, heavier than 34 lbs. may be laid under this specification.

Test No. 21

Barber Cap Sheet Specification F-PC

For reroofing over at least one layer of old bituminous roofs on inclines up to 3 in. per foot. One ply construction over an old composition roof, comprising 1 34 lb. Smooth Roll Roofing Cap-Sheet laid in Barber Plastic Cement and then surface coated also with Plastic Cement.

The brand was consumed in 19 min. with 1 ply consumed, but no charring of the wood deck. Photo No. 21.

Test No. 22

Barber Mineral Surface Cap Sheet Spec. MS-PC-A

For new construction over wood deck on inclines up to 6 in. per foot.

Two ply construction comprising 1 14 or 15 lb. Phoenix, saturated rag felt, lapped 2 in. and nailed to the wood deck and 1 75 lb. Mineral Surface Roll Roofing laid with 2 in. laps in Barber Plastic Cement over the underlying base felt.

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The brand was consumed in 22 min. 15 sec. with 2 plies consumed and deck charred $\frac{1}{8}$ in. over an area of 6 in. x 8 in. Photo No. 22.

Similar specifications for heavier construction are as follows:

MS-PC-B—For reroofing over at least one layer of old bituminous roofs comprising 1 75# or 90# M.S. roll roofing laid in Barber Plastic Cement.

MS-PC-C—For new roofs or reroofing comprising 1 75# or 90# M.S. roll roofing laid in Barber Plastic Cement over 1 24# Phoenix Asphalt Saturated Felt.

MS-PC-D—For new roofs or reroofing comprising 1 70# or 90# M.S. roll roofing laid over Barber Plastic Cement and 1 30 lb. Phoenix Asphalt Saturated Felt.

MS-PC-E—For new roofs or reroofing comprising 1 75# or 90# M.S. roll roofing laid over one or two coatings of Plastic Cement and 2 14 or 15 lb. Phoenix Asphalt Saturated Felts.

MS-PC-F—For new roofs or reroofing comprising 1 75# or 90# M.S. roll roofing laid over two coatings of Barber Plastic Cement and 3 14 or 15 lb. Phoenix Asphalt Saturated Felts.

MS-PC-G—For new roofs or reroofing comprising 1 75# or 90# M.S. roll roofing laid over two coatings of Barber Plastic Cement and 2 24 lb. Phoenix Asphalt Saturated Felts.

Test No. 23 & 23A—Withdrawn

Test No. 23B

Barber Genasco, Wide Selvage, M.S. Cap Sheet 32 in. wide with 17 in. selvage laps, laid double coverage over entire deck with two courses of nails on 12 in. centers through the selvage which is also cemented with Barber Plastic Cement.

WS-PC-A—For new roof over wood deck on inclines up to 1 in. per foot. Comprising 2 44# or 55# Wide Selvage Mineral Surfaced Cap Sheet with 17 in. Selvage nailed and cemented with Plastic Cement.

The brand was consumed in 24 min. 15 sec. with two plies consumed and deck charred $\frac{3}{16}$ in. over an area of 6 in. x 8 in. Photo No. 23B.

Similar specifications of heavier construction are as follows:

WS-PC-B—For reroofing over at least one layer of old composition roofs. The same construction as WS-PC-A, but cemented to the existing old roof with Plastic Cement.

WS-PC-C—For new roofs or reroofing comprising 1 24# or 30# Phoenix Asphalt Saturated Felt, over which 1 44# or 55# Wide Selvage Mineral Surfaced Cap Sheet lapped 17 in. is laid in Barber Plastic Cement.

WS-PC-D—For new roofs or reroofing comprising 2 14 or 15 lb. Phoenix Asphalt Saturated Felts over which 1 44# or 55# Wide Selvage Mineral Surfaced Cap Sheet lapped 17 in. is laid in Barber Plastic Cement.

Test No. 24

Barber Genasco Mineral Surfaced Wide Selvage 44 lb. Cap Sheet laid over 2 14 or 15 lb. asphalt saturated rag felts with hot Roofing Asphalt "S".

R-WS-10B—For new roofs over wood deck on inclines up to 9 in. per foot, comprising 2 14 or 15 lb. asphalt saturated rag felts lapped 19 in. and nailed to the deck over which a double thickness of 44 lb. Wide Selvage, Mineral Surfaced Cap Sheets, lapped 17 in., is mopped solid to the base felts and between the laps with hot Roofing Asphalt "S".

The brand was consumed in 16 min. 25 sec. with 2 plies consumed by no charring of the deck. Photo No. 24.

WS-PC—For new roofs over non-combustible deck or rigid insulation on inclines up to 6 in. per foot when definite nailing can be provided, comprising 1 14 or 15 lb. asphalt saturated rag felt mopped solid to a primed deck over which a double thickness of 44 lb. Wide Selvage Mineral Surfaced Cap Sheet, lapped 17 in., is mopped solid to the base felt and between the laps with hot Roofing Asphalt "S".

BUILT-UP ROOFING MATERIALS

<i>Material</i>	<i>Published</i>		<i>Aver. wt.</i>	
<i>Width</i>	<i>Sq. ft.</i>	<i>wt.</i>	<i>5 rls.</i>	
<i>in.</i>	<i>per roll</i>	<i>per roll</i>	<i>tested</i>	<i>Remarks</i>
		<i>lbs.</i>	<i>lbs.</i>	
ASPHALT FELTS				
Genasco Rag Sat.				
32	432	60	62	15 lb. Std.
32	216	65	65	30 lb. Ex. Hvy.
32	108	45	45.2	45 lb. Base Sht
Genasco Asbestos Sat.				
32	324	45	46.0	15 lb.
32	324	60	66.0	20 lb. Cap
32	216	70	70.2	35 lb.
32	108	60	60.2	60 lb. Base
Phoenix Rag Sat.				
36	432	52	52	12 lb.
36	432	60	61	14 lb.
36	432	65	64	15 lb.
36	216	52	52	24 lb.
36	216	65	67	30 lb.
CAP SHEETS				
Sealtite-Smooth Surf.				
36	216	68	68.2	34 lb. Double Coated
Tops-All Smooth Surf.				
36	216	68	70	34 lb. Coated 1 side
Stormpruf Smooth Surf.				
36	216	68	69	34 lb. Coated 1 side
Genasco Reinforced				
36	216	68	69	34 lb. Fabric on 1 side
Genasco S/S Rfg.				
36	108	45	45	Med. (Coated both sides)
36	108	55	57	Hvy. (Coated)
36	108	65	66	Ex. Hvy. (C't'd)
Utility S/S Rfg.				
36	108	35	38	Lt. (Coated)
36	108	45	46	Med. (Coated)
36	108	55	58	Hvy. (Coated)
36	108	65	66	Ex. Hvy. (C't'd)
Genasco Min. Sur. Rfg.				
36	108	90	94	2 in. selvage
18	114.5	94	98	2 in. selvage
Utility Min. Sur. Rfg.				
36	108	75	78	2 in. selvage
Genasco Wide Selvage				
32	216	88	88	17 in. selvage 44 lb.
32	108	55	56	17 in. selvage 55 lb.
MISCELLANEOUS				

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Genasco Starting Min. Sur. Strips				
..	27	21	21	Starting Course for Shingles
..	54	42	45	
Genasco Patching Fabric				
4	9 rolls per package	18	18	Saturated Cotton Fabric
Genasco Flashing Fabric				
36	585 sq. ft.	52	51.5	Saturated Cotton Fabric

SPECIFICATIONS FOR ROOFING ASPHALTS USED AS PLYING CEMENTS AND TOP SURFACING OF BUILT-UP ROOFS

	<i>Trinidad Rfg. Asph.</i>		<i>Phoenix Rfg. Asph.</i>	
	"F"	"S"	"F"	"S"
Softening Pt. (B&R) °F.	130-145	165-200	135-200	160-200
Peneration—				
77°F.	20-30	20-30	20-40	20-40
32°F.	5-15	8-20	8-25	8-25
Flash C.O.C. Min.	400°F.	425°F.	450°F.	475°F.
Soluble C S ₂ % Min.	65.0	65.0	99.0	65.0
Packages—				
Average Wt., lbs:	465	465	455	465

ASPHALT PAINTS, PLASTIC CEMENTS AND COATINGS

<i>Materials</i>	<i>Packages</i>
GENASCO ROOF COATING	
A cut-back asphalt coating with solvent of brushing consistency.	1 gal. pails 5 gal. pails 30 gal. drums 55 gal. drums
GENASCO ASPHALT PRIMER	
A cut-back asphalt of thin consistency for priming concrete, gypsum or other masonry surfaces before applying solid or liquid asphalts when used with roofing materials.	1 gal. pails 5 gal. pails 30 gal. drums 55 gal. drums
GENASCO LIQUID LAP CEMENT	
A cut-back asphalt of heavy consistency for sealing the laps of roofing felts.	1 pint cans 1 gal. cans 5 gal. pails 30 gal. drums 55 gal. drums
GENASCO RESATURATOR G-383	
A cut-back asphalt and solvent for rejuvenating old, dry roofing felts.	5 gal. pails 30 gal. drums 55 gal. drums
1. Genasco Plastic Cement Type 33	
2. Lexonite Cement	1 lb. cans
3. Empire State Cement	2½ lb. cans
4. Stormpruf Flashing Cement	5 lb. cans
5. Stormproof Plastic Cement	10 lb. cans 25 lb. pails 50 lb. pails 30 gal. drums 55 gal. drums
A Plastic Cement consisting of asphalt, solvent, asbestos and mineral filler.	
Troweling consistency	
1. Genasco Asphalt Fibre Coating	
2. Lexonite Asphalt Fibre Coating	
3. Empire State Asphalt Fibre Coating	

4. Stormpruf Asphalt Fibre Coating

A cut-back asphalt coating consisting of asphalt, solvent, asbestos and mineral filler, of heavy, brushing consistency for use on roofs.	1 gal. cans 5 gal. pails 30 gal. drums 35 gal. drums 55 gal. drums
--	--

GENASCO RESURFACER

A special coating consisting of asphalt, solvent and asbestos fibre of brushing consistency for resurfacing old roofs.	1 gal. pails 5 gal. pails 30 gal. drums 55 gal. drums
--	--

EMULMASTIC

An emulsion of asphalt mineral filler and sand aggregate, applied unheated as a final surfacing over roofing felts.	1 gal. pails 5 gal. pails 30 gal. drums 55 gal. drums
---	--

GENASCO TILE CEMENT G-377

A composition of asphalt and mineral filler used for setting roofing tile. Used in a melted condition.	Round cakes of 50 lbs. average weight.
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On the basis of the foregoing tests, the committee recommends the reopening and the amending of the resolution to include approval of the roofing construction and materials as described herein as meeting the requirements of C26-608.0 (10.1.16.3) of the Administrative Building Code.

General

Approval of these roofings and materials is recommended on condition that the weight, thickness and plies of material shall not be less for any roof covering than that specified for the specimen test.

Nothing herein contained shall preclude the use of heavier or additional plies of saturated rag felts, provided that the total weight and number of plies used shall equal or exceed that approved for any specification tested herein, with the use of 12-pound saturated rag felt limited specifically to slag and gravel protected roofs. Built-up and Roll Roofings may be applied to either combustible or non-combustible roof decks in accordance with the tests and specifications as specifically provided herein.

The recommendation further is that Cal. No. 870-38-SM be reopened and amended to include the additional roof construction as specified herein when applied under the conditions set forth, and other conditions as listed under the general approval granted the applicant on January 17, 1939, Cal. No. 870-38-SM.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of January 17, 1939 and does hereby *approve* the additional material as noted in the above report, when manufactured, applied and marked, labelled or tagged in accordance with the above report.

Recessed at 5:00 P. M. to October 25, 1939, at 10 A. M.

Reconvened October 25, 1939, at 10 A. M., adjourned 3:40 P. M.

JOSEPH J. DOYLE, *Chief Clerk*.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 11, 1939, as they appeared in Bulletin No. 29, Vol. 24, are hereby corrected to read as follows:

MINUTES

THE RESOLUTION—

(781-39-A)

WHEREAS, Julius G. Cohn, for Cleaners and Dyers Union, Local No. 239, lessee, for Trustees of The Sailors' Snug Harbor, owner, filed on June 12, 1939, an appeal from an order and decision of the borough superintendent of buildings, affecting premises 746-750 Broadway and 7 Astor place, northeast corner (3rd floor); (Block No. 545, Lot No. 59), Borough of Manhattan; and

WHEREAS, Violation Order No. 4958-38, issued November 4, 1938, by the borough superintendent, reads:

"In that of changing use of building from business to public use (meeting rooms) without obtaining a certificate of occupancy."

and WHEREAS, the above order is referred to in a decision of the borough superintendent, dated June 8, 1939; and

WHEREAS, the building is non-fireproof, cellar and 7 stories (80 ft.) in height, 82 ft. 9 in. by 106 ft. 9 in. in area; erected in 1881; located in a business use district; occupied

since 1937: Cellar—boiler room; 1st floor—stores; 2nd and 3rd floors—offices; 4th floor—recreation and offices; 5th floor—same; 6th and 7th floors—vacant; and

WHEREAS, on April 20, 1939, upon reinspection, the borough superintendent stated that the use of the building comes within the classification of public use; and

WHEREAS, the applicant contends that the premises occupied by the Cleaners and Dyers Union, are not occupied as meeting rooms but as business offices; that the occupancy of the building has not been changed.

Resolved, that the order of the borough superintendent, on Viol. Order No. 4958-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the premises shall not be used for public assembly and that the number of occupants shall not exceed the number legally permitted by the exits of the building.

*Correction—Violation Order No. 4958-36 changed to No. 4958-38 in lines 8 and 30 of resolution.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES FOR LIQUEFIERS USED TO CONVERT SOLID CARBON DIOXIDE TO A LIQUID AND/OR A GAS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION C 19-94.0 OF THE ADMINISTRATIVE CODE.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 26, 1936.
EFFECTIVE, JULY 27, 1936.

(262-35-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666 of the New York City Charter, for the carrying into effect the provisions of Section C 19-94.0 of the Administrative Code.

Rule 1. Certificate of Approval.

A Certificate of Approval shall be obtained by the manufacturer from the Fire Chief and Commissioner for each type of liquefier or converter to be used for the conversion of solid carbon dioxide to liquid carbon dioxide as in full compliance with these Rules. A Certificate of Approval shall also be obtained from the Fire Chief and Commissioner for each system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers as in full compliance with these Rules.

Rule 2. Certificate of Fitness.

A Certificate of Fitness shall be obtained from the Fire Chief and Commissioner for each operator of a liquefier system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers.

Rule 3. Inspection Test Report.

A disinterested inspection service, approved by the Fire Chief and Commissioner, shall inspect all material and workmanship of all liquefiers at the place of manufacture and shall verify compliance with these Rules, witness all tests and shall furnish the Fire Chief and Commissioner with a test report as follows:

- A. Test reports for liquefiers, other than redesigned portable cylinders, shall show all information called for in paragraph 23, I. C. C. Specification 3A, except as follows:
1. "Marks stamped into shoulder of cylinder." This shall be as per Rule "11 Marking" hereinafter specified. Actual markings shall be shown on test report.
 2. "Record of hydrostatic tests." This shall be as per Rule "9 Testing" hereinafter specified.
 3. Statement shall be furnished that liquefier covered in said test report comply with these Rules, and Certificate of Approval Number for the type of liquefier covered in said test report.
- B. Test report for converted portable cylinders for liquefier use shall show for each converted cylinder the following:
1. Liquefier Serial Number.
 2. Original number of cylinder used for conversion.
 3. Original ownership initials of cylinders used for conversion.
 4. Original I. C. C. marking of cylinder used for conversion.
 5. Original manufacturing test date of cylinder used for conversion, and name of original manufacturer.
 6. Test pressure applied to cylinder before conversion.
 7. Total expansion obtained on cylinder before conversion.
 8. Permanent expansion obtained on cylinder before conversion.
 9. Per cent expansion obtained on cylinder before conversion.

10. Elastic expansion obtained on cylinder before conversion.
11. Outside diameter and length of cylinder before conversion.
12. A statement that the above cylinders before conversion into liquefiers were tested in a water jacket in accordance with these Rules and I. C. C. Regulations and the results appear above.
13. A statement that the top thickness, opening for cover plate and distance across the corner where the side wall meets the bottom and at 45° to the side wall, was measured and the dimensions were found to conform with Rule 6, F. G. H and I.
14. A statement that after assembly each liquefier was given an open hydrostatic test to 3,000 lbs. and this pressure was held for at least two minutes without showing a pressure recession of more than 75 lbs.
15. The liquefier was marked as follows: (See Rule "11 Marking" for requirements.)
16. A statement that these liquefiers conform to these Rules, and that the type of liquefier has been approved under New York City Fire Department Certificate of Approval Number

Rule 4. Construction Other Than Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with Specifications of I. C. C. governing cylinders for CO². Closure devices other than screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

S

Where OD = Outside diameter of container

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.).

- B. The "Top" is defined as that portion of the liquefier in which the closure device is installed and where the ice is introduced.
- C. The minimum thickness of the top before machining shall be at least 3½ times the wall thickness.
- D. The minimum thickness of the top after machining shall be at least 3 times the wall thickness.
- E. The minimum distance from edge of the hole cut or shaped for the closure device to the outside of wall shall be 4½ times the wall thickness.
- F. The maximum width of the machined seat shall not be more than 1½ times the wall thickness.
- G. The outside radius connecting the top of the liquefier to its side wall shall not be more than 1½ times the wall thickness.
- H. The inside radius connecting the side wall to the top before machining, shall not be less than 2½ times the wall thickness.
- In lieu of the requirements as set forth in C to H inclusive above:
The top portion of the liquefier including closure plate

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shall be designed with a factor of safety of not less than two at a test pressure of 3000 lbs. per sq. inch. The design shall be proven by a test to destruction for each type of liquefier before a certificate of approval shall have been issued.

- I. A large fillet shall be provided in the corner of the machined seat where it meets the inside radius.

Rule 5. Construction Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO² to liquid CO² shall be constructed of seamless drawn steel in accordance with specifications of I. C. C. governing cylinders for CO². Closure device of the screw thread type shall conform with the following:

- A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container.

t = Wall thickness.

P = 3,000 lbs. PSI.

S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

- B. The thread of the device shall be designed with a factor of safety of not less than 4 at a test pressure of 3,000 lbs. per sq. in. and the wall thickness after cutting thread shall not be less than that specified in Rule 5-A above.

Rule 6. Conversion of Portable Cylinders for Liquefier Use.

Seamless portable cylinders made to I. C. C. Specification 3 or 3A for oxygen or carbon dioxide and originally designed and used for the transportation of compressed or liquefied gases shall be acceptable for alteration or conversion into carbon dioxide liquefiers only under the following conditions;

- A. Cylinders which have been in a fire shall not be used for conversion into liquefiers until they have been properly heat treated and retested as specified in paragraph 423, of the I. C. C. Regulations.
- B. Cylinders which show surface dents, or which fail to give a clear ring on being struck with a hammer, shall not be used for conversion into liquefiers.
- C. Before conversion into liquefiers, each cylinder shall be submitted to a hydrostatic test of 3,000 lbs. pressure in a water jacket under the conditions specified in paragraph 424 of the I. C. C. Regulations and the total and permanent expansion shall be recorded. A cylinder shall be condemned when it leaks or when the permanent expansion exceeds 10 per cent of the total expansion.
- D. If in the hydrostatic test in the water jacket the net elastic expansion (total expansion less permanent expansion) at 3,000 lbs. exceeds the allowable limit given in the following table for the type of cylinder involved, such cylinder shall not be used for conversion into a liquefier. If the cubic capacity of a cylinder to be tested varies from the standard capacity given in the table for that type, then the allowable limit of elastic expansion will be varied in the same proportion.

TABLE I.

Type	Cubic Capacity	Elastic Expansion Allowable Limit
220 ft. oxygen	2,660 cu. in.	170 c.c.
200 ft. oxygen	2,660 cu. in.	170 c.c.
50 lbs. CO ²	2,360 cu. in.	150 c.c.

- E. No cylinders designed and used for a portable container shall have the thickness of the side wall reduced

by any cutting of threads in the process of conversion into a liquefier, except as specified in Rule "5-B Construction Screw Thread Type."

- F. If the closure is formed by using a portion of the former bottom as a seat, this shall only be permissible if the dimensions of the liquefier conform to those shown in the Tables II, III and IV.

TABLE II.

Type	Minimum Bottom Thickness
220 ft. oxygen.....	.66 in.
200 ft. oxygen.....	.66 in.
50 lbs. CO ²	.66 in.

TABLE III.

Type	Maximum Opening Permitted
220 ft. oxygen.....	6½ in. x 7½ in.
200 ft. oxygen.....	6½ in. x 7½ in.
50 lbs. CO ²	5¾ in. x 6¾ in.

TABLE IV.

Type	Minimum Thickness across corner at Point where the outside of the side wall meets the inside radius of bottom and at 45° to side wall.
220 ft. oxygen.....	5/8 in.
200 ft. oxygen.....	5/8 in.
50 lbs. CO ²	5/8 in.

- G. The maximum width of the machined seat for the gasket of liquefier shall be 5/16 in., and the inside radius connecting this seat to the side wall of the cylinder shall not be less than 1/8 in.

- H. The minimum thickness of closure plate shall be 5 times the wall thickness of the cylinder. The closure plate shall be of a good grade of billet steel. Castings not permitted.

- I. Before conversion into a liquefier, the cylinder shall meet a new hydrostatic test at the pressure at which such cylinder was originally tested, provided however, that no cylinder shall be converted unless for its original use it was tested to 3,000 lbs. pressure. Such new test shall be in a water jacket before conversion into a liquefier.

Rule 7. Spuds.

Spuds for chain connections or for reinforcing valve or pipe connections of not over 3/4 in. pipe size shall be welded before heat treatment at place of manufacture of the liquefier.

Rule 8. Safety Devices.

Each liquefier shall be provided with two safety devices of frangible disc type attached to the liquefier at a point not lower than 6 inches from the top. The cross section area of the discharge channel, or channels (of the safety device, or devices) shall be at least .006 sq. in. for each 25 lbs. of liquefier water capacity and .00024 sq. in. additional for each additional pound of water capacity. Safety devices having two or more outlets shall be so constructed that these outlets will have a combined total area of not less than one and one-half times that prescribed for the safety discharge channel. The frangible disc of the safety devices shall be designed to release at a pressure of not more than 2,000 lbs. per sq. in.

Rule 9. Testing.

Each liquefier after assembly shall be tested hydrostatically by an approved independent testing agency for not less than two minutes to a pressure of 3,000 lbs. per sq. in. without showing a pressure recession of more than 75 lbs.

RULES

per sq. in. The inspection service shall file a satisfactory record on test report stating that the liquefier passed the above required test.

Rule 10. Quinquennial Test.

Liquefiers used for any purpose shall be retested at least every five years to a pressure of 3,000 lbs. per sq. in. in the same manner and under the same requirements as at the time and place of manufacture and the date of retest shall be stamped thereon.

Rule 11. Marking.

Each liquefier shall bear marking as follows:

- A. Name of owner.
- B. Serial number.
- C. Name or trade mark of manufacturer.
- D. Date of manufacture.
- E. Test pressure.
- F. Inspection service mark.
- G. Maximum filling charge based on filling to not more than 68 per cent of the water content by weight.

Rule 12. Filling.

Each liquefier shall be placed and used in a vertical position with filling effected while liquefier is properly secured.

Rule 13. Maximum Charge.

Liquefiers shall not be filled with solid carbon dioxide in excess of 150 lbs. nor in excess of 68 per cent by weight of the water capacity of the liquefier.

Rule 14. Use of CO² Systems and Liquefiers.

- A. Carbon dioxide liquefier converting systems for filling portable cylinders shall not be used in any building occupied in whole or in part as a residence or as a multiple dwelling, or as place of public assembly, or in a building not used exclusively for manufacturing purposes.
- B. Except in buildings used exclusively for the manufacture of carbon dioxide or other compressed gases, not more than 8 liquefiers of a maximum combined capacity of 1,200 lbs. of carbon dioxide shall be headed in a battery and not more than one such battery shall be permitted in a building.
- C. Liquefiers may be manifolded only by the use of extra heavy steel or wrought iron pipe, or extra heavy seamless copper or brass tubing, of not larger than $\frac{3}{4}$ in. I. P. S. Fittings shall be high pressure forged steel or extra heavy bronze hydraulic type.
- D. Each manifold shall be protected by a frangible disc safety device of the same size and type as those prescribed for the liquefier, and designed to release at a pressure of not more than 2,000 lbs. per sq. in. In addition, the liquid manifold shall be protected by a spring safety valve so set as to relieve the pressure at not more than 1,600 lbs. per sq. in.
- E. When carbon dioxide gas is conducted through pressure reducing valve between liquefier and point of use, the use of a heater will be permitted, but said heater

shall be so arranged that heat may be applied indirectly. This heater shall consist of a coil immersed in water. The source of heat shall then be applied to the water but not directly to the coil.

Rule 15. Test of Piping.

Each liquefier or battery of liquefiers to be used for the filling of portable cylinders or other containers with liquid carbon dioxide and all the piping connected thereto, shall be hydrostatically tested in the presence of the representatives of the Fire Chief and Commissioner before the solid carbon dioxide is first put into the system. A hydrostatic pressure of 2400 lbs. per sq. in. shall be maintained for fifteen minutes, released for five minutes, and again applied for a period of fifteen minutes without any visible leak or reduction of pressure. This test shall be repeated at least every five years.

Rule 16. Approval Systems for Filling Portable Cylinders.

Each liquefier or battery of liquefiers used for filling portable cylinders or other containers, shall be permanently labeled or marked showing the Fire Department Certificate of Approval Number together with date of last test.

Rule 17. Acceleration.

Defrosting, or acceleration of liquefaction, shall be by use of water only, the water shall be of a temperature not above 85° Fahrenheit.

Rule 18. CO² Portable Cylinders.

- A. Portable cylinders or other containers to be filled with liquid carbon dioxide shall be constructed and marked in accordance with the Specifications of the Interstate Commerce Commission for carbon dioxide cylinders and shall have been tested within intervals of not more than five years as evidenced by official marking. Cylinders not so constructed and marked shall not be filled with carbon dioxide.
- B. The maximum filling of liquid carbon dioxide, with one pound allowable variation in each cylinder, shall not be over 20 lbs. for standard cylinders $5\frac{1}{2}$ in. in diameter by 51 in. long, nor over 50 lbs. for standard cylinders $8\frac{1}{2}$ in. in diameter by 51 in. long and larger. No cylinder shall be filled with carbon dioxide to more than 68 per cent of the water capacity, by weight, of the cylinder.
- C. The amount of liquid carbon dioxide charged into portable cylinders or other containers shall be determined by weight by use of a dial scale having a movable indicator, and this weight shall also be checked after disconnecting from the charging line.

Rule 19. Existing Installations.

Liquefiers or converters to which these rules and regulations cannot be applied, may be maintained and operated, if approved by the Board of Standards and Appeals, under such conditions as are deemed necessary in the interest of public safety.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

52.00
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 45

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

JOSEPH J. DOYLE, Chief Clerk

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting October 31, 1939, at 10 A. M.,
Affecting Calendar Numbers 794-39-BZ, 933-38-BZ,
1023-38-BZ, 1092-38-BZ, 1222-38-BZ, 98-39-BZ, 458-39-BZ,
704-30-BZ and 846-39-BZ.

Minutes of Regular Meeting October 31, 1939, at 2 P. M.,
Affecting Calendar Numbers 696-39-A, 697-39-A, 925-39-A,
1159-39-A, and 227-39-SM.

Oil Burner Rules.

Approved Fuel Oil Pumps.

Rules relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply.

Approved Vacuum Breakers.

Rules for Inspection of Approved Opening Protective Assemblies.

Fire Retarding Rules for Garages, etc.

NOTICE TO APPELLANTS AND APPLICANTS

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to October 31, 1939

Cal. No. Department Premises Affected

1309-39-SM.....Counterbalanced Freight Shaft Elevator Door, manufactured by William E. Gambrill and Company, Material.

1310-39-BZ....H.B.M.....363 Edgecombe avenue, west side, 225 ft. north of West 150th street (Block 2054, Lot No. 12), Borough of Manhattan, Alt. 2966-39.

1311-39-SM.....White Lily Blubag Finishing Hydrated Lime, manufactured by The Woodville Lime Products Company, Material.

1312-39-A.....H.B.Q.....East side of 197th street, 426 ft. and 464 ft. south of 120th avenue (Block No. 3381, Lot No. 41), St. Albans, Borough of Queens (Under Section 35, General City Law re: Bed of Mapped Street), N.B. 6414-39, N.B. 6415-39, N.B. 6442-39 and N.B. 6443-39.

1313-39-BZ....H.B.Q.....Aqueduct Park, north of North Conduit avenue, between 135th and 149th avenues and between 149th and 150th avenues (Aqueduct Race Track); (Block Nos. 2317, 2318, 2320, 2322 and 2324, Lot No. 1), Aqueduct, Borough of Queens, N.B. 7657-39, N.B. 7658-39, Alt. 2156-39, and Alt. 2157-39 and Misc. Applic. 6944-39 to Misc. Applic. 6946-39 inclusive.

1314-39-A.....H.B.Q.....Aqueduct Park, north of North Conduit avenue, between 135th and 149th avenues and between 149th and 150th avenues (Aqueduct Race Track); (Block Nos. 2317, 2318, 2320, 2322 and 2324, Lot No. 1), Aqueduct, Borough of Queens, (Under Section 35, General City Law re: Bed of Mapped Street), N.B. 7657-39, N.B. 7658-39, Alt. 2156-39, Alt. 2157-39, Misc. Applic. 6944-39 to Misc. Applic. 6946-39 inclusive.

1315-39-A.....H.B.B.....211 Legion street, east side, 275 ft. south of Blake avenue (Block No. 3553, Lot No. 11), Borough of Brooklyn, Alt. 2147-39.

1316-39-A.....F.D.....52-15 Flushing avenue, west side, 125 ft. south of 54th street (Block No. 2626, Lot No. 22, Block No. 2627, Lot No. 28 and Block No. 2628, Lot No.

50), Maspeth, Borough of Queens, 80409-L.C. and 3068-L.F. and Decision.

1317-39-SM.....Slagblok Fireproof Floor Construction, manufactured by Republic Fireproofing Co., Inc., Material.

1318-39-BZ....H.B.B.....8917-8921 Fourth avenue and 401-403 90th street, northeast corner (Block No. 6066, Lot Nos. 1, 2 and 3), Borough of Brooklyn, N.B. 2550-39.

1319-39-SM.....Atlantic Hollow Metal Fire Door, Flush Type (One and One-half Hour Test), manufactured by Atlantic Metal Products, Inc., Material.

1320-39-A.....F.D.....1070 Madison avenue and 26 East 81st street, southwest corner (Block No. 1492, Lot No. 56), Borough of Manhattan, 5242-L.F. and Decision.

1321-39-BZ....H.B.Q.....142-23 Roosevelt avenue, north side, 200 ft. east of Union street (Block No. 5020, Lot No. 47), Flushing, Borough of Queens, Misc. Applic. 7188-39.

1322-39-BZ....H.B.B.....132-144 Center street and 611-623 Clinton street, southeast corner (Block No. 562, Lot Nos. 3-12), Borough of Brooklyn, B.N. 7446-39.

1323-39-A.....H.B.B.....257 13th street, north side, 97 ft. 10½ in. west of Fifth avenue (Block No. 1028, Lot No. 49), Borough of Brooklyn, Alt. 4289-39.

1324-39-SM.....Penn-Dixie Portland Cement, (Portland Point, New York Plant), manufactured by Pennsylvania - Dixie Cement Corporation, Material.

1325-39-A.....H.B.B.....2277-2281 Ocean parkway, east side, 120 ft. north of Avenue W (Block No. 7158, Lot No. 60), Borough of Brooklyn, Alt. 4409-39.

1326-39-SA.....Tokheim Model 39-HR Computer Pump with Hose Reel and Tokheim Model 39-DP-HR Clock Dial Pump with Hose Reel, Appliance.

1327-39-A.....H.B.B.....3069-3121 Avenue Z, northwest corner of Knapp street (Block No. 7452, Lot No. 1), Borough of Brooklyn, N.B. 2486-39.

1328-39-SM.....Tiger Brand Finishing Hydrated Lime, manufactured by The

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Kelley Island Lime and Transport Company, Material.

1329-39-SM.....Azrock Carpet Tile, manufactured by Uvalde Rock Asphalt Company, Material.

1330-39-A.....H.B.Q.....84-21 Grand avenue, west side, 420.19 ft. south of Kneeland avenue (Block No. 2476, Lot No. 212), Maspeth, Borough of Queens, Misc. Applic. 2464-39.

1331-39-A.....H.B.Q.....84-21 Grand avenue, west side, 420.19 ft. south of Kneeland avenue (Block No. 2476, Lot No. 212), Maspeth, Borough of Queens, Misc. Applic. 7692-39.

1332-39-BZ....H.B.M.....30-32 Willett street, southeast corner of Delancey street (Block No. 337, Lot Nos. 38-41 inclusive), Borough of Manhattan, N.B. 194-39.

1333-39-A....H.B.Bx.....801 East 134th street, north side, 150 ft. east of East Willow avenue (Block No. 2586, Lot No. 12), Borough of The Bronx, F.P. 578-39.

1334-39-BZ....H.B.Q.....205-33 to 205-35 Hollis avenue, north side, 61.03 ft. east of 205th place (Block No. 10912, Lot No. 32), Hollis, Borough of Queens, Alt. 2127-39.

1335-39-BZ-WF..H.B.Q....60-05 Rodman street, southeast corner of 60th avenue (Block No. 2084 (6356), Lot Nos. 1 and 3), Flushing, Borough of Queens, Misc. Applic. 5200-39.

1336-39-A.....H.B.Q.....69-78, 69-82 and 69-86 182nd street, northwest corner of 73rd avenue and west side of 182nd street, 50 ft. and 90 ft. north of 73rd avenue (Block No. 7134, Lot No. 6), Flushing, Borough of Queens, N.B. 8061-39, N.B. 8066-39 and N.B. 8067-39.

1337-39-A.....H.B.Q.....69-77, 69-81 and 69-85 182nd street, northeast corner of 73rd avenue and east side of 182nd street, 50.96 ft. and 90.96 ft. north of 73rd avenue (Block No. 7135, Lot No. 1), Flushing, Borough of Queens, N.B. 8058-39, N.B. 8063-39 and N.B. 8588-39.

1338-39-A....H.B.Bx.....Plot bounded on the North by East Tremont avenue, on the East by Purdy street, Odell street, Raymond avenue, Olmstead avenue, on the South by McGraw avenue, Metropolitan avenue, Hugh J. Grant Circle, on the West by Vir-

ginia avenue, Wood avenue (approximately 100 ft. east of White Plains road), Guerlian street and Unionport road (Block No. 3938, Lot No. 1); (Metropolitan Life Insurance Company, Housing Project No. 2), Borough of The Bronx,

N.B. 438-38 to 442-38, incl., 447-38, 448-38, 453-38 to 455-38 incl., 481-38 to 483-38, incl., 498-38, 499-38, 512-38, 513-38, 521-38, 522-38, 561-38, 562-38, 574-38, 575-38, 578-38, 653-38, 654-38, 671-38 and 672-38, 675-38, 676-38, 693-38, 707-38, 708-38, 20-39, 21-39, 40-39, 44-39, 49-39, 50-39, 95-39, 96-39, 113-39 to 115-39, incl., 121-39 to 123-39 incl., 145-39 to 147-39 incl., 151-39, 440-39, 458-39, 588-39, 669-39 and 767-39.

1339-39-A.....F.D.....North side of Bank street, 100 ft. west of Jersey street (Block No. 4, Lot No. 90), New Brighton, Borough of Richmond, 2476-L.F. and Decision.

1340-39-A.....F.D.....96-100 Hudson street, 1-5 Leonard street, northeast corner and 161-163 Franklin street (Block No. 179, Lot No. 56), Borough of Manhattan, 5082-L.F. and Decision.

1341-39-BZ....H.B.B....705-729 McDonald avenue, east side, 240 ft. north of Ditmas avenue (Block No. 5385, Lot No. 66), Borough of Brooklyn, B.N. 6951-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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NOVEMBER 8, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November 8, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 766-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Oliver Reagan, applicant, on behalf of Estate of Erskine Hewitt, owner (Norvin H. Green, executor), to permit in a residence use district, the alteration and change of occupancy of an existing building (private stable and dwelling) to office use and dwelling; premises 144 East 39th street, south side, 197 ft. east of Lexington avenue (Block No. 894, Lot No. 56), Borough of Manhattan.

CAL. NO. 836-39-BZ—Application, June 21, 1939, under section 21 of the building zone resolution, of Isidore Wolsk, applicant, on behalf of Gotham Equities Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1793-1799 Eastern parkway, north side, 68.4 ft. west of Dean street and 2348-2354 Dean street (Block No. 1449, Lot Nos. 19 and 21), Borough of Brooklyn.

CAL. NO. 1093-39-BZ—Application, August 17, 1939, under section 21 of the building zone resolution, of Lockwood Greene Engineers, Inc., applicant, on behalf of News Syndicate, Inc., owner, to permit in an unrestricted use district and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building; said extension not conforming with the "B" area requirements of the building zone resolution; premises 684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28, inclusive), Borough of Brooklyn.

CAL. NO. 1056-39-BZ—Application, August 21, 1939, under section 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of 511 Faile Street Corporation, owner, to permit in a business use district, the erection and maintenance of an iron or steel works; premises East side of Faile street, 200 ft. north of Oak Point avenue (Block No. 2769, Lot Nos. 38-41), Borough of The Bronx.

CAL. NO. 59-39-BZ—Application, January 16, 1939, under section 21 of the building zone resolution, of A. L. Marinelli, applicant, on behalf of Joseph Di Blasi, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 113-01 Northern boulevard, northeast corner of 112th place (Block No. 1707, Lot No. 38), Corona, Borough of Queens.

CAL. NO. 295-39-BZ—Application, March 8, 1939, under sections 7b, 7c and 21 of the building zone resolution, of Louis Danancher, applicant, on behalf of Morris Manes, owner, to permit partly in a business use district and partly in a residence use district, the maintenance of an extension to a business building; premises 113-19 Jamaica avenue, north side, 25 ft. west of 114th street (Block No. 4227, Lot No. 77), Richmond Hill, Borough of Queens.

CAL. NO. 103-31-BZ—Application Lama and Proskauer, applicants, on behalf of Aljac Garage and Repair Shop, Inc., owner, reopened February 28, 1939, under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station (previously granted by the board re garage for more than five (5) motor vehicles); premises 124-17 Metropolitan avenue, north side, 20.68 ft. east of 124th place (Block No. 9243, Lot Nos. 185, 189 and 318), Richmond Hill, Borough of Queens.

CAL. NO. 703-38-BZ—Application, August 8, 1939, under section 7h of the building zone resolution, of Alice M. Johnston, applicant, on behalf of J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners (Charles Miller, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.

CAL. NO. 585-39-BZ—Application, May 8, 1939, under sections 7a and 21 of the building zone resolution, of Vincent Schiliro, applicant, on behalf of Mary Schnappauf, owner, to permit in a residence use district, the erection and maintenance of a building to be used as a garage (not accessory to the dwelling on the same lot) and, also, for the storage of bottled beverages; premises 70-20 72nd street, west side, 250 ft. north of Central avenue (Block No. 3663, Lot Nos.

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18 and 19), Glendale, Borough of Queens.

CAL. NO. 794-39-BZ—Application, June 14, 1939, under section 21 of the building zone resolution, of Mayers, Murray and Phillip, applicants, on behalf of Seamen's Bank for Savings, owner, to permit in a residence use district, the erection and maintenance of an electrically illuminated sign; premises 314 West 49th street, south side, 250 ft. west of Eighth avenue and 319-335 West 48th street (Block No. 1039, Lot Nos. 43 and 17), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 8, 1939, 2 P. M.

Appeals from Administrative Decisions

1237-39-A—679-723 Court street, southeast corner of Bryant street (Block No. 624, Lot No. 1), Borough of Brooklyn.

1037-39-A—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1119-39-A—58-64 Clay street, south side, 116 ft. 8 in. west of Manhattan avenue and 1109-1113 Manhattan avenue (Block No. 2487, Lot No. 34), Borough of Brooklyn.

981-39-A—87 34th street, northwest corner of Third avenue (Block No. 683, Lot No. 1), Borough of Brooklyn.

1301-39-A—Northeast corner of Maspeth avenue and Varick avenue (Block No. 2838, Lot No. 1), Borough of Brooklyn.

1291-39-A—92 William street and 34-38 Platt street, southeast corner (Block No. 68, Lot No. 22), Borough of Manhattan.

702-39-A—746-750 Broadway and 7 Astor place, northeast corner (Block No. 545, Lot No. 59), Borough of Manhattan.

1265-39-A—825-829 First avenue and 351-353 East 46th street, northwest corner (Block No. 1339, Lot Nos. 22½ to 25, inclusive), Borough of Manhattan.

1271-39-A—11-25 Madison avenue and 38-60 East 25th street, southeast corner (Block No. 854, Lot Nos. 1 to 41, inclusive), Borough of Manhattan.

1284-39-A—103-27 Lefferts boulevard, east side, 260 ft. south of 103rd avenue (Block No. 9557, Lot No. 55), Morris Park, Borough of Queens.

1251-39-A—142-02 to 142-10 Lansing avenue, southwest corner of South Conduit avenue (Block No. 4822, Lot No. 106), Laurelton, Borough of Queens.

1254-39-A—67-46 to 67-52 Myrtle avenue and 302-306 68th street, southwest corner (Block No. 3702, Lot No. 25), Glendale, Borough of Queens.

1005-39-A—22-71 33rd street, east side, 76 ft. 2¾ in. north of 23rd avenue and 33-09 23rd avenue (Block No. 832, Lot No. 2), Astoria, Borough of Queens.

1253-39-A—159-01 Hillside avenue, northeast corner of Parsons boulevard (Block No. 342, Lot No. 1), Jamaica, Borough of Queens.

1257-39-A—60-94 69th avenue, southeast side, 400 ft. northeast of 60th lane (Block No. 3536, Lot No. 21), Ridgewood, Borough of Queens.

1338-39-A—Plot bounded on the north by East Tremont avenue, on the east by Purdy street, Odell street, Raymond avenue, Olmstead avenue, on the south by McGraw avenue, Metropolitan avenue, Hugh J. Grant Circle, on the west by Virginia avenue, Wood avenue (approximately 100 ft. east of White Plains road), Guerlian street and Unionport road (Block No. 3938, Lot No. 1); (Metropolitan Life Insurance Company Housing Project No. 2), Borough of The Bronx.

Variations of the Labor Law

1233-39-S—422 Fulton street, north side, 93 ft. west of Hoyt street (East Building); (Block No. 156, part of Lot No. 1), Borough of Brooklyn.

1246-39-S—2-8 West 46th street, south side, 100 ft. west of Fifth avenue (Block No. 1261, Lot No. 42), Borough of Manhattan.

1255-39-S—164 Madison avenue, west side, 49 ft. 4½ in. south of East 33rd street (Block No. 862, Lot No. 56), Borough of Manhattan.

1353-39-S—727-729 Fifth avenue, southeast corner of East 57th street (Block No. 1292, Lot No. 66), Borough of Manhattan.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, November 8, 1939, at 2 o'clock*, in Room 1013, Municipal Building, Manhattan, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 737-39-BZ—Application, June 3, 1939, under section 7h of the building zone resolution, of Murray Klein, applicant, on behalf of Hein-Nolan Realty Co., Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-125 Bayard street and 441-463 Manhattan avenue, northwest corner (Block No. 2718, Lot No. 14), Borough of Brooklyn.

CAL. NO. 1024-27-BZ—Application of Herman Kron, applicant, on behalf of La Salle Garage, Inc., owner, reopened October 17, 1939, re amendment of resolution—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 1650-1664 Jerome avenue and 1-9 East 174th street, northeast corner (Block No. 2848, Lot No. 1), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

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NOVEMBER 14, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 14, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 479-39-BZ—Application, April 17, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Board of Transportation, City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 209 East Houston street, southeast corner of Ludlow street and 167-179 Essex street, west side, 100 ft. south of East Houston street (Block No. 412, Lot No. 53), Borough of Manhattan.

CAL. NO. 539-39-BZ—Application, April 28, 1939, under section 7h of the building zone resolution, of Albert Homer Swanke, applicant, on behalf of Louis H. Pink, Superintendent of Insurance of the State of New York, as Liquidator of the Lawyers Title and Guaranty Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1455-1465 Madison avenue, east side, from East 100th street to East 101st street, 51 East 100th street and 48-50 East 101st street (Block No. 1606, Lot Nos. 20, 21, 24, 49, 50, 51, 52 and 53), Borough of Manhattan.

CAL. NO. 1098-39-BZ—Application, September 1, 1939, under sections 7b and 7c of the building zone resolution, of LeRoy P. Ward, applicant, on behalf of Society of Illustrators, Inc., owner, to permit partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of an existing building to a club and business use; premises 128 East 63rd street, south side, 80 ft. west of Lexington avenue (Block No. 1397, Lot No. 60), Borough of Manhattan.

CAL. NO. 667-39-BZ—Application, May 22, 1939, under section 21 of the building zone resolution,

of Lama and Proskauer, applicants, on behalf of Louis Kliegman, owner (Theodore Tannor, lessee), to permit in a business use district, the extension of an accessory building located on an existing gasoline service station; premises 928-932 Stone avenue, northwest corner of Linden boulevard (Block No. 3639, Lot No. 1), Borough of Brooklyn.

CAL. NO. 52-16-BZ—Application of John Thatcher and Son, Inc., and Wingate and Cullen, applicants, on behalf of Annie McDonald, owner (William Levine, lessee), reopened June 13, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, a motor vehicle repair shop; said building on same street with public school (permission to erect the building as a garage previously granted by the board); premises 761 Park place, north side, 90 ft. east of Rogers avenue (Block No. 1233, Lot No. 81), Borough of Brooklyn.

CAL. NO. 1013-38-BZ—Application, November 10, 1938, under section 7h of the building zone resolution, of John Beveridge, applicant and lessee, on behalf of Jesse Knight, Edith Howells, Daisy Howells, American Savings Bank, Ernest Hoehn and Union Dime Savings Bank, owners, to permit in a business use district, the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution; dismissal action rescinded and application restored to calendar); premises 1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21 to 25, inclusive), Borough of Manhattan.

CAL. NO. 413-39-BZ—Application, March 30, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of New York Rapid Transit Corporation and Brooklyn-Manhattan Transit Company, owners (Gulf Oil Corporation, lessee), to permit partly in a business use district and partly in a residence use district, the extension of a gasoline service station; premises 464-484 Flatbush avenue and 1-33 Ocean avenue, southwest corner (Block No. 5024, part of Lot Nos. 28 and 37), Borough of Brooklyn.

CAL. NO. 552-39-BZ—Application, May 3, 1939, under section 21 of the building zone resolution, of Bernhardt T. Berman, applicant, on behalf of Elias Goldberg, owner, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1028-1030 Utica avenue, west side, 100 ft. south of Tilden avenue (Block No. 4734, Lot No. 11), Borough of Brooklyn.

CAL. NO. 1203-39-BZ—Application, September 29, 1939, under section 7c of the building zone

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resolution, of Edwin W. Kleinert and A. Stanely Miller, applicants, on behalf of Security Construction Company, owner, to permit the erection of a business building (stores), extending from a business use district into a residence use district; premises 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-0, 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens.

Appeal from Administrative Decision

1046-39-A—69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-01 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens (Under Section 35, General City Law re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 14, 1939, 2 P. M.

Appeals from Administrative Decisions

- 1058-39-A—24 First avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.
- 1290-39-A—883 Eastern parkway, north side, 87 ft. east of Albany avenue (Block No. 1388, Lot No. 74), Borough of Brooklyn.
- 1351-39-A—117-151 Georgia avenue and 316-326 Liberty avenue, southeast corner (Block No. 3702, part of Lot No. 1), Borough of Brooklyn.
- 1303-39-A—42 Floyd avenue, south side, 390 ft. east of Nostrand avenue (Block No. 1742, Lot No. 24), Borough of Brooklyn.
- 1327-39-A—3069-3121 Avenue Z, northwest corner of Knapp street (Block No. 7452, Lot No. 1), Borough of Brooklyn.
- 1385-39-A—297-307 Lenox road, north side, 79 ft. 8½ in. east of Nostrand avenue (Block No. 4837, Lot Nos. 89-91), Borough of Brooklyn.
- 1231-39-A—119-19 103rd avenue, northwest corner of 120th street (Block No. 9487, Lot No. 36), Richmond Hill, Borough of Queens.
- 1247-39-A—Blocks bounded by 150th street, 107th, 108th and 109th avenues (Block Nos. 10126, 10137 and 10147, Lot No. None), South Jamaica, Borough of Queens.
- 1300-39-A—84-05 78th avenue, northeast corner of 84th street (Block No. 3840, Lot No. 24), East Glendale, Borough of Queens.
- 1259-39-A—30-01 to 30-25 49th avenue, 48-01 30th street, southwest corner, 30-02 to 30-28 48th avenue and 48-02 30th place (Block No. 287, Lot No. 11), Long Island City, Borough of Queens.
- 1252-39-A—585-587 Eighth avenue, west side, 49 ft. 5 in. south of West 39th street and 306 West 39th street (Block No. 762, Lot Nos. 38, 39 and 44), Borough of Manhattan.

Variation of the Labor Law

- 1352-39-S—117-151 Georgia avenue and 316-326 Liberty avenue, southeast corner (Block No. 3702, part of Lot No. 1), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 14, 1939*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 77-33-BZ—Application of Martin C. Epstein, applicant, on behalf of Matilda Kessel, Administratrix of Estate of Vincent J. Repaci, owner, reopened October 17, 1939, re extension of permit—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period; premises southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 21, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 21, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 982-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of Chapmald Realty Corporation, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 406-420 West 55th street, south side, 100 ft. west of Ninth avenue (Block No. 1064, Lot Nos. 37 to 42, inclusive), Borough of Manhattan.

CAL. NO. 1091-39-BZ—Application, September 5, 1939, under sections 7h and 21 of the building zone resolution, of Thomas W. Lamb, Inc., applicant, on behalf of Sixth Avenue and 44th Street Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1120-1136 Sixth avenue, east side, entire block from West 43rd street to West 44th street (Block No. 1259, Lot No. 1), Borough of Manhattan.

CAL. NO. 1138-38-BZ—Application, December 8, 1938, under sections 7e and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Elsie Maresca and Mary Maresca, owners, to permit in a business use district, the conversion of occupancy of a building occupied as auto laundry, stores, battery service and storage for five (5) motor vehicles to auto laundry, grease pits, motor vehicle repair shop and storage for more than five (5) motor vehicles; premises 2637-2645 Webster avenue,

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west side, 130.60 ft. north of East 194th street (Block No. 3277, Lot No. 41), Borough of The Bronx.

CAL. NO. 68-39-BZ—Application, January 18, 1939, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of B. S. and B. Co., Inc., owner (Thomas Viola, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2963-2965 Webster avenue, west side, 125 ft. north of Bedford Park boulevard (Block No. 3280, Lot No. 58), Borough of The Bronx.

CAL. NO. 1094-39-BZ—Application, August 23, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Sheffield Farms Company, Inc., applicant and owner, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 52-02 Flushing avenue, south side, 106 ft. west of Sophie street and 52-15 Metropolitan avenue (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

CAL. NO. 212-34-BZ—Application of Michael Marlo, applicant, on behalf of Carmelo Oddo, owner (Michael Monterosa, lessee), reopened June 20, 1939, under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station; said gasoline station was previously granted by the Board for a temporary period; premises 1709 Neptune avenue and 2760-2770 Cropsey avenue, northwest corner (Block No. 6994, Lot Nos. 97 and 99), Borough of Brooklyn.

CAL. NO. 813-39-BZ—Application, June 19, 1939, under section 21 of the building zone resolution, of Wood and Marshall, applicants, on behalf of Samuel H. Baylis, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 120-43 to 120-45 Farmers boulevard, northeast corner of 121st (Arthur) avenue (Block No. 3362, Lot No. 1), St. Albans, Borough of Queens.

CAL. NO. 1025-39-BZ—Application, August 7, 1939, under section 21 of the building zone resolution, of Frank J. Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

CAL. NO. 1018-38-BZ—Application of John F. Meehan, applicant, on behalf of The Rector, Church Wardens and Vestrymen of Trinity Church in the City of New York, owner (Caswell Motor Company, lessee), re-

opened October 24, 1939 re extension of time to complete work—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3740 Broadway, northeast corner of West 155th street (Block No. 2114, Lot No. 1), Borough of Manhattan.

CAL. NO. 76-37-BZ—Application of Edwin H. Snackenber, applicant, on behalf of Albert Edelman, owner, reopened October 24, 1939 re extension of term of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles for a temporary period; premises 601-611 Livonia avenue, northeast corner of Sheffield avenue (Block No. 3805, Lot No. 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 21, 1939, 2 P. M.

Appeals from Administrative Decisions

1219-39-A—440 East 102nd street, southwest corner of East River drive (Block No. 1695, Lot No. 25), Borough of Manhattan.

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

1320-39-A—1070 Madison avenue and 26 East 81st street, southwest corner (Block No. 1492, Lot No. 56), Borough of Manhattan.

1340-39-A—96-100 Hudson street and 1-5 Leonard street, northeast corner and 161-163 Franklin street (Block No. 179, Lot No. 56), Borough of Manhattan.

1402-39-A—70G-72G Gouverneur street, entire block, bounded by Gouverneur, Madison, Jackson and Water streets (Buildings 1 to 18, inclusive); (Block No. 260, Lot No. 1), Borough of Manhattan.

1403-39-A—345M-367M Madison street, north side, 95.79 ft. east of Scammel street, through to Henry street (Buildings 19 and 20); (Block No. 267, Lot No. 24), Borough of Manhattan.

1404-39-A—14J-22J Jackson street, northeast corner of Monroe street and south side of Madison street (Buildings 22 and 24); (Block No. 265, Lot Nos. 1 and 2), Borough of Manhattan.

1405-39-A—28J-44J Jackson street, northeast corner of Cherry street and south side of Monroe street (Buildings 21 and 23); (Block No. 263, Lot Nos. 40 and 45), Borough of Manhattan.

1315-39-A—211 Legion street, east side, 275 ft. south of Blake avenue (Block No. 3553, Lot No. 11), Borough of Brooklyn.

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- 1349-39-A—346 Ocean parkway, west side, 40 ft. south of Avenue "C" (Block No. 5374, Lot No. 12), Borough of Brooklyn.
- 1325-39-A—2277-2281 Ocean parkway, east side, 120 ft. north of Avenue "W" (Block No. 7158, Lot No. 60), Borough of Brooklyn.
- 1386-39-A—438-446 Ocean parkway, west side, 180 ft. south of Cortelyou road (Block No. 5389, Lot Nos. 19-21), Borough of Brooklyn.
- 1333-39-A—801 East 134th street, north side, 150 ft. east of Willow avenue (Block No. 2586, Lot No. 12), Borough of The Bronx.
- 1365-39-A—31-07 Borden avenue and east side of 31st (Mount) street, 337 ft. north of Borden avenue (Block No. 289, Lot Nos. 1 and 16), Long Island City, Borough of Queens.
- 1336-39-A—69-78, 69-82 and 69-86 182nd street, northwest corner of 73rd avenue and west side of 182nd street, 50.1 ft. and 90 ft. north of 73rd avenue (Block No. 7134, Lot No. 6), Flushing, Borough of Queens.
- 1337-39-A—69-77, 69-81 and 69-85 182nd street, northeast corner of 73rd avenue and east side of 182nd street, 50.96 ft. and 90.96 ft. north of 73rd avenue (Block No. 7135, Lot No. 1), Flushing, Borough of Queens.
- 1381-39-A—1620 Centre street, south side, 175 ft. east of Wyckoff avenue (Block No. 3551, Lot No. 18), Ridgewood, Borough of Queens.
- 1387-39-A—165-18 Highland avenue, south side, 110 ft. east of 165th street (Block No. 9837, Lot No. 80), Jamaica, Borough of Queens.
- 1388-39-A—35-43 84th street, east side, 100 ft. north of 37th avenue (Block No. 1458, Lot No. 46), Jackson Heights, Borough of Queens.

Variation of the Labor Law

- 1399-39-S—31-07 Borden avenue and east side of 31st (Mount) street, 337 ft. north of Borden avenue (Block No. 289, Lot Nos. 1 and 16), Long Island City, Borough of Queens.

NOVEMBER 28, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 28, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

- CAL. NO. 742-38-BZ—Application, August 25, 1938, under section 21 of the building zone resolution of George Goodstein, applicant on behalf of Leon W. McKeon, owner, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment, dwelling and two (2) car garage; premises 3129 Perry avenue, west side, 110 ft. north of 204th street (Block No. 3341, Lot Nos. 26 and 27), Borough of The Bronx.
- CAL. NO. 763-39-BZ—Application, June 9, 1939, under section 7a of the building zone resolution, of Frank E. Wall, applicant on behalf of J. W. Schneider, owner, to permit in a business use district, the extension of an existing gasoline service station and

also the erection of a new accessory building; premises 22-24 Jewett avenue, west side, 92.57 ft. south of Bennett street (Block No. 1012, Lot No. 84), Port Richmond, Borough of Richmond.

- CAL. NO. 856-39-BZ—Application, June 26, 1939, under sections 7a and 21 of the building zone resolution, of Frank E. Wall, applicant, on behalf of Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station; premises 823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

- CAL. NO. 904-39-BZ—Application, July 5, 1939, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Julia V. Delany, owner, to permit in a residence use district the extension of an existing garage for more than five (5) motor vehicles, said garage is located on the same street between two (2) intersecting streets as a school; premises 595-597 Quincy street, north side, 200 ft. east of Lewis avenue (Block No. 1625, Lot No. 73), Borough of Brooklyn.

- CAL. NO. 1142-39-BZ—Application, September 19, 1939, under section 21 of the building zone resolution, of Joel D. Marder, applicant, on behalf of Manhattan Storage and Warehouse, owner, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 140-146 West 53rd street, south side, 225 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 53-55), Borough of Manhattan.

- CAL. NO. 1153-39-BZ—Application, September 20, 1939, under sections 7c and 21 of the building zone resolution, of Edgar J. Moeller, applicant, on behalf of Remsenburg Realty Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store); premises 1522-1526 Kings Highway, southwest corner of East 16th street (Block No. 6798, part of Lot No. 42), Borough of Brooklyn.

- CAL. NO. 1313-39-BZ—Application, October 25, 1939, under sections 7a and 21 of the building zone resolution, of Aymar Embury II, applicant, on behalf of Queens County Jockey Club, owner, to permit in a residence use district, the erection of two (2) buildings, the alteration and extension in area of two (2) buildings and the relocation of three (3) buildings existing on the premises. Each of the five (5) buildings involved, to be used as stables for more than five (5) horses as accessories to the Jockey Club (Rae Traek) on the premises; premises north side of North Conduit avenue between 135th and 150th avenues (Block No. 2317, Lot No. 1, Block No.

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2318, Lot No. 2, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens.

Appeal from Administrative Decision

1314-39-A—North side of North Conduit avenue, between 135th avenue and 150th avenue (Block No. 2317, Lot No. 1, Block No. 2318, Lot No. 1, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens (Under Section 35, General City Law re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 28, 1939, 2 P. M.

Appeals from Administrative Decisions

1041-39-A—Southeast corner of Twiggs place and Fifth street (Block No. 5517, Lot No. 101), Park of Edgewater, Borough of The Bronx (Under Section 35, General City Law re: Bed of Mapped Street).

1288-39-A—Pequot road and 88th street, 851.49 ft. west of west side of 88th street and 617.42 ft. south of Cooper avenue (Block No. 3810, Lot No. 275), Glendale, Borough of Queens (Under Section 36, General City Law).

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law).

DECEMBER 5, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 5, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 310-39-BZ—Application, March 13, 1939, under sections 7h and 21 of the building zone resolution, of Alexander Ketterson, applicant, on behalf of Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

CAL. NO. 657-39-BZ—Application, May 19, 1939, under sections 7c and 21 of the building zone resolution, of Frank Verdi, applicant, on behalf of Henry A. Thelluson, Receiver (George and F. J. Verdi, lessees), to permit in a residence use district and, also, on a street between two (2) intersecting streets in which portion there exists an exit and an entrance to a public school, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles; premises 353-355 West 48th street, north side, 204 ft. east of Ninth avenue (Block No. 1039, Lot No. 9), Borough of Manhattan.

CAL. NO. 1054-39-BZ—Application, August 18, 1939, under section 7a of the building zone resolution, of Richard Shutkind, applicant, on behalf of 318 West 47th Street Corporation, owner, to permit in a residence use district, the extension of an existing business use; premises 318 West 47th street, south side, 275 ft. west of Eighth avenue (Block No. 1037, Lot No. 44), Borough of Manhattan.

CAL. NO. 868-39-BZ—Application, June 27, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Irving Palmer, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 3826-3830 Kings Highway and 1241-1245 Ryder street, southeast corner (Block No. 7817, Lot No. 34), Borough of Brooklyn.

CAL. NO. 326-36-BZ—Application of Interborough Engineering Company, applicant, on behalf of Giuseppe Montemorano, owner, reopened June 27, 1939 under new facts, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied); premises 961-965 Fourth avenue and 402-412 37th street, southeast corner (Block No. 701, Lot No. 8), Borough of Brooklyn.

CAL. NO. 597-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Inc., owner, to permit in a business use district, the alteration and extension of an existing gasoline service station; premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block No. 9751, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 724-39-BZ—Application, May 31, 1939, under section 7c of the building zone resolution, of Joseph P. Powers, applicant, on behalf of Buona Terra Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores); premises 148-42 Hillside avenue, south side, 224.5 ft. west of 150th street (Block No. 9694, Lot No. 23), Jamaica, Borough of Queens.

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CAL. NO. 929-39-BZ—Application, July 11, 1939, under sections 7a and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Oliver S. Chatfield, owner, to permit in a business use district, the alteration of an existing garage and gasoline service station and the increase in area of the gasoline station by the relocation of the front wall of the garage; premises 97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 5, 1939, 2 P. M.

Appeal from Administrative Decision

1306-39-A—623 Beach 19th street, west side, 347 ft. south of Cornaga avenue and 702 Beach 20th street (Block No. 84, Lot No. 1 and Block No. 85, Lot No. 34), Far Rockaway, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

DECEMBER 12, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 12, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue and 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 244-39-BZ—Application of John J. Beatty, applicant, on behalf of Harlem Savings Bank, owner, reopened under new facts October 24, 1939, under section 21 of the building zone resolution, to permit in a restricted retail use district, the alteration and conversion of occupancy of part of an existing building to a motion picture theatre (previously denied); premises 163-165 West 57th street, north side, 104 ft. 2 in. east of Seventh avenue (Block No. 1010, Lot No. 5), Borough of Manhattan.

CAL. NO. 562-39-BZ—Application, May 3, 1939, under section 7h of the building zone resolution, of Tendwell Service Station Corporation, applicant and lessee, on behalf of New York State Realty and Terminal Co., owner, to permit in a business use dis-

trict, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 5-15 West 125th street, north side, 110 ft. west of Fifth avenue and 6-14 West 126th street (Block No. 1723, Lot No. 31), Borough of Manhattan.

CAL. NO. 691-39-BZ—Application, May 23, 1939, under section 7a of the building zone resolution, of Thomas M. Bell, applicant, on behalf of Gainsborough Studios, Inc., owner, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the street; premises 222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

CAL. NO. 459-39-BZ—Application, April 12, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicant, on behalf of Leon K. Rockmore, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn.

CAL. NO. 951-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Emil Koeppel, applicant, on behalf of Madeline Hecht, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn.

CAL. NO. 1022-39-BZ—Application, August 4, 1939, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Matilda Tais-hoff, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 47-13 to 47-21 Kissena boulevard and 140-01 to 140-07 Mulberry court, northeast corner (Block No. 5216, Lot No. 41), Flushing, Borough of Queens.

CAL. NO. 746-39-BZ—Application, June 7, 1939, under sections 7c, 7f and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Brooklyn Development Company, owner (George E. Weidner, lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a golf driving range and accessory club house; premises 2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

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Appeal from Administrative Decision

894-39-A—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn (Under Section 35, General City Law, Re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 19, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 19, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 1113-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frieda D. Waters, applicant and owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 1913-1929 Bay avenue, north side, 106 ft. 3 $\frac{5}{8}$ in. east of East 19th street (Block No. 6748, Lot No. 97 and part of Lot No. 92), Borough of Brooklyn.

CAL. NO. 1121-39-BZ—Application, September 8, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue (Block No. 4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn.

CAL. NO. 1260-39-BZ—Application, October 13, 1939, under section 7c of the building zone resolution, of Thomas J. Curran, applicant, on behalf of South Brooklyn Savings Bank, owner, to permit the extension of a proposed bank building from a business use into a residence use district; premises 6422-6424 18th avenue and 1771-1775 65th street, northwest corner (Block No. 5546, Lot Nos. 50, 53, 57 and 58), Borough of Brooklyn.

CAL. NO. 186-37-BZ—Application of William Shary, applicant, on behalf of Aaron Rabinowitz, James L. Clare and Lawrence N. Martin, as trustees of Series F-1, owner (Reuben Nathan, lessee), reopened under new proposal June 27, 1939, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously denied re parking of more than five (5) motor vehicles); premises 709-719 Westches-

ter avenue, 721-725 Forest avenue, northwest corner and 712-724 Jackson avenue (Block No. 2645, Lot No. 5), Borough of The Bronx.

CAL. NO. 1194-39-BZ—Application, September 28, 1939, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district, the erection and maintenance of a laundry which is accessory to a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx.

CAL. NO. 1189-39-BZ—Application, September 27, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William Jacobia and Albert Jacobia, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 136-05 32nd avenue and 31-51 Linden place, northeast corner (Block No. 4409, Lot No. 1), Flushing, Borough of Queens.

CAL. NO. 637-39-BZ—Application, May 17, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Shell Oil Co., Inc., owner, to permit in a business use district, the extension of an existing gasoline service station; premises 63-56 Austin street and 91-39 63rd drive, southwest corner (Block No. 3103 (1897), Lot No. 43), Rego Park, Borough of Queens.

CAL. NO. 767-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Judson E. Schnall, applicant, on behalf of Estate of Benjamin Anchell and Philip Levison, owners (Thomas Kalenbach, lessee), to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

CAL. NO. 181-39-BZ—Application, February 14, 1939, of Joshua Hochstein, applicant, on behalf of Frances Landa and Fannie Hochstein, owners, reopened and restored to calendar October 10, 1939, under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop, machine shop and garage for more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 45-37 to 45-55 50th (Fitting) street, east side, 400 ft. south of Queens boulevard (Block No. 2283, Lot No. 1), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

JANUARY 30, 1940, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners

(Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 31, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, October 10, 1939, and the minutes of the regular meeting of the board held on Tuesday afternoon, October 10, 1939, were approved as printed in Bulletin No. 42, Vol. 24.

BUILDING ZONE CASES

794-39-BZ.

APPLICANT—Mayer's Murray and Phillip, for Seamen's Bank for Savings, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of an electrically illuminated sign.

PREMISES AFFECTED—314 West 49th street, south side, 250 ft. west of Eighth avenue and 319-335 West 48th street (Block No. 1039, Lot Nos. 43 and 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Eckman, Hardie Phillip, Charles B. Plumm and Wayne Soverus.

For Opposition: None.

ACTION OF BOARD—Laid over to November 8, 1939, at 10 A. M. Applicant to file corrected plans.

933-38-BZ.

APPLICANT—George E. McCoy (lessee), for Pennsylvania Railroad Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—234-236 West 31st street, south side, 400 ft. west of Seventh avenue (Block No. 780, Lot No. 60), Borough of Manhattan.

APPEARANCES—

For Applicant: Herbert J. Williams and George E. McCoy.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(933-38-BZ)

WHEREAS, George E. McCoy (lessee), for Pennsylvania Railroad Company, owner, filed on October 11, 1938, an application under the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles: premises; 234-236 West 31st street, south side, 400 ft. west of Seventh avenue (Block No. 780, Lot No. 60), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 31, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 30th street is in unrestricted and retail use districts and West 31st street, Seventh and Eighth avenues are in a retail use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated September 21, 1938, and as amended August 1, 1939, reads:

"Your application dated August 4, 1938 for a certificate of occupancy for use of the above premises for the storage and parking of more than five motor vehicles has been denied as the premises are located in a retail district where this occupancy is prohibited by Article 2, section 4a, subdivision 15 of the Zone Resolution."

and

WHEREAS, the premises, part of a larger parcel, consist of a plot of ground having a frontage of 45 ft. and a depth of 99 ft. It is proposed to occupy the plot for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-h thereof for a term of two years from the date of this resolution, to permit the premises under appeal to be occupied for the transient parking of more than five (5)

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motor vehicles, *on condition* that only those of the pleasure car type shall be so parked; that the plot shall be leveled substantially to the grade of the surrounding streets and surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that on the interior lot lines where walls of adjacent buildings do not occur, there shall be erected a substantial woven wire fence not less than 6 feet in height; that a similar fence shall be erected along the street building line, except for an entrance not exceeding 15 feet with curb cut opposite of similar width; that during the term of this variance, the premises shall be used for no other use than that herein permitted; that no signs shall be erected thereon, except there may be a sign attached to the fence at the entrance, advertising the transient parking use, providing such sign does not extend beyond the building line and does not exceed 15 square feet in area; that no building shall be erected on the premises, except one not over one story in height and 150 sq. ft. in area, which may be of frame construction, to be used as an office and shelter for the attendant; that proper aisles shall be maintained at all times; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all permits required shall be obtained and all work involved, completed within three months from the date of this resolution.

1023-38-BZ.

APPLICANT—Catherine Godfrey (lessee), for Leonora Brown, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—168-30 89th avenue, southeast corner of 168th place (Block No. 9801, part of Lot No. 51), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Catherine Godfrey.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1023-38-BZ)

WHEREAS, Catherine Godfrey (lessee), for Leonora Brown, owner, filed November 15, 1938, an application under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two years, the parking and storage of more than five (5) motor vehicles; premises: 168-30 89th avenue, southeast corner of 168th place (Block No. 9801, part of Lot No. 51), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 31, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 89th avenue, 90th avenue and 168th place are in business and residence use districts and 169th street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings re N.B. 7834-38, dated November 9, 1938, reads:

"Your application for certificate of occupancy for parking and storage of more than five (5) motor vehicles is hereby denied as same is contrary to Art. II, Sec. 4, Subd. 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. on 89th avenue and 100 ft. on

168th place; upon part of the plot there is located a two story frame dwelling, approximately 20 ft. by 42 ft. in area. It is proposed to occupy the remainder of the plot for a temporary period of not more than two years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-h thereof, for a temporary term of two years from the date of this resolution, to permit the unbuilt upon portion of the plot to be used for the transient parking of more than five (5) motor vehicles, *on condition* that only those of the pleasure car type shall be so parked; that a substantial fence shall be maintained on the interior lot lines and on the street building lines, except for an entrance to each street not exceeding 10 ft. in width with curb cuts opposite not exceeding 12 ft. in width; that during the term of this variance, the vacant portion of the property shall be used for no other purpose; that no signs shall be erected, except one sign erected on the building line near the entrance not exceeding 15 sq. ft. in area, advertising the transient parking use and such sign shall not extend beyond the building line; that there shall be no lights erected for general illumination; that proper aisles shall be maintained at all times for easy entrance and egress; that portable fire-fighting appliances shall be installed as the fire commissioner may direct; that all permits required shall be obtained and all work involved, completed within three months from the date of this resolution.

1092-38-BZ.

APPLICANT—James J. Millman, for Sambern Realty Corporation, owner.

SUBJECT—Application reopened under new facts May 23, 1939 (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles, limited to tenants of adjoining apartment houses only (previously denied re public parking lot).

PREMISES AFFECTED—167-01 to 167-19 Depot road, north side, entire block, between 167th street and 168th street, 36-27 to 36-39 167th street and 36-34 to 36-42 168th street (Block No. 5294, Lot No. 1 and part of Lot No. 6), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Milton L. Levine, Benjamin A. Millman and Samuel Bernstein.

For Opposition: Thomas S. Whitehead.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1092-38-BZ)

WHEREAS, James J. Millman, for Sambern Realty Corporation, owner, filed on November 28, 1938, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 167-01 to 167-19 Depot road, entire block between 167th and 168th streets, 36-27 to

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36-39 167th street and 36-34 to 36-42 168th street (Block No. 5294, Lot No. 1 and part of Lot No. 6), Flushing, Borough of Queens; and

WHEREAS, this application was denied by the board April 11, 1939 and applicant requested a reopening of the application, to permit in a business use district, for a temporary period of not more than two years, the parking and storage of more than five motor vehicles, limited to cars, the property of the tenants of adjoining apartment houses; and

WHEREAS, this application was reopened by vote of the board May 23, 1939 on the basis of new facts; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 31, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Depot road is in business and unrestricted use districts; Station road is in a business use district; 167th and 168th streets are each in residence and business use districts and Crocheron avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, re N.B. Applic. No. 9211-38, dated June 12, 1939, reads:

"The parking of more than 5 cars in a residence and business district is contrary to Article 2, sections 3 and 4 of the Zone Law. (Not further considered.)"

and

WHEREAS, the premises (part of a larger parcel of property) consist of a plot of ground having a frontage of 201 ft. on Depot road, 87 ft. on 167th street and 100 ft. on 168th street. It is proposed to use the site, for a temporary period of not more than two (2) years, for the parking of more than five (5) motor vehicles, limited to tenants of adjoining apartment houses only; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-h thereof for a term of two years from the date of this resolution, to permit the lot under appeal to be used for the parking and storage of more than five (5) motor vehicles, *on condition* that only those of the pleasure-car type shall be so stored and parked and that they shall belong only to the tenants in the adjoining multiple dwellings on Lots 13, 22 and 32 under the same ownership as the site herein involved; that the plot shall be leveled substantially to the grade of the surrounding streets and shall be surfaced with steam cinders, clean gravel or other suitable material properly rolled and bound; that on the lot lines there shall be installed a substantial woven wire fence not less than 6 ft. in height with no openings therein, except one to Depot road not over 15 ft. in width with curb cut opposite not over 15 ft. in width; that during the term of this variance, the plot shall be used for no other use and no building shall be erected thereon, except there may be constructed one building not over 150 sq. ft. in area and one-story in height, which may be of frame construction, used as an office and shelter for the attendant; that this parking lot shall be under the direction, control and operation of the managers of the multiple dwellings adjoining and not leased to an operator and that not more than a nominal charge shall be made for such parking or storage; that proper aisles shall be maintained at all times for easy ingress and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner may direct; that no lights for general illumination shall be installed; that no signs shall be erected on the premises, except one sign which shall be attached to the fence and not extending beyond the street building line

near the entrance reading "Private Parking Area for the 3 multiple dwellings on lots 13, 22 and 32 (giving the names thereof)"; that all permits required shall be obtained and all work involved, completed within three months from the date of this resolution.

1222-38-BZ.

APPLICANT—Jack Z. Cohen, for Louis Caner, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores).

PREMISES AFFECTED—794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Potter, Larry Meltzer and Louis Caner.

For Opposition: Allen D. Emil and Hyman H. Zarett.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

Absent 0

THE RESOLUTION—

(1222-38-BZ)

WHEREAS, Jack Z. Cohen, for Louis Caner, owner, filed December 30, 1938, an application under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of part of the first story of an existing multiple dwelling from residence to business use (stores), affecting premises 794-798 Saratoga avenue, west side, 100 ft. 2¾ in. south of Livonia avenue (Block No. 3582, Lot No. 37), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 31, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Saratoga avenue and Barrett street are in residence and business use districts; Riverdale avenue and Livonia avenue are in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, Applic. No. 12330-38, dated December 15, 1938, reads:

"1. Business in a residential district is contrary to Art. II, Sec. III of the Building Zone Resolution."

and

WHEREAS, the existing building is of non-fireproof construction, three (3) stories in height, with a frontage of 50 ft. and a depth of 75 ft. It is proposed to occupy the street portion of the 1st story of the existing Class A multiple dwelling as two (2) stores; the remainder of the building to be used for dwelling purposes; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution; and that the property can be put to conforming use.

Resolved, that the decision of the borough superintendent, on Applic. No. 12330-38, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

98-39-BZ.

APPLICANT—James A. Pietsch, for Kathryn S. Cooke, owner.

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SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the maintenance of garage space for more than three (3) motor vehicles.

PREMISES AFFECTED—205-209 Hart boulevard, east side, 343 ft. south of Forest avenue (Block No. 250, Lot No. 89), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: James A. Pietsch.

For Opposition: None.

For Administration: H. Sternberg, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(98-39-BZ)

WHEREAS, James A. Pietsch, for Kathryn S. Cooke, owner, filed on January 24, 1939, an application under the building zone resolution, to permit in a residence use district, the maintenance of garage space for more than three (3) motor vehicles; premises: 205-209 Hart boulevard, east side, 343 ft. south of Forest avenue (Block No. 250, Lot No. 89), West New Brighton, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 31, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hart boulevard is in a residence and business use district; Forest avenue is in a business use district; University place and Oakwood avenue are each in residence and business use districts and Revere street is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, re Alt. Applic. No. 930-38, dated January 16, 1939, reads:

"Your application, Alteration No. 930-1938, filed on August 15, 1938, requesting a certificate of occupancy for two (2) 2-family duplex dwellings and six (6) garages at premises 205 and 209 Hart boulevard, is hereby denied, it being contrary to Article II, Section 3 of the Zoning Resolution to use the premises for the storage of more than three (3) motor vehicles as an accessory use."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 115 ft. Upon the plot are two 2½ story frame and brick veneer dwellings, 38 ft. (total) by 50 ft. in area. In the cellar of the northerly section, there is a one-car garage and in the cellar of the southerly section there is a two-car garage; also, at the rear of the northerly section there is a 3-car garage 28 ft. 6 in. by 20 ft. in area. It is proposed to use the space for six (6) motor vehicles by cars owned by the occupants of the two dwellings on the site; and

WHEREAS, it appears that the garages in question were permitted by the commissioner of buildings, as being in compliance with the zoning resolution as garages accessory to the two residential buildings, but that they are not accessory since there is garage space for four cars on one lot and two cars on the other lot instead of 3 on each lot; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that no additional garages other than the three garages in the rear and the three garage spaces under the dwellings shall be constructed; that in all other respects the requirements of the zoning resolution and building code and all other laws, rules and regulations applicable thereto shall be complied with.

458-39-BZ.

APPLICANT—Sidney H. Kitzler, for Chassen Brothers, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the alteration and conversion of a stable to a bakery.

PREMISES AFFECTED—60-17 to 60-25 68th road, north side, 165 ft. east of 60th street and 60-18 to 60-20 68th avenue (Block No. 3513, Lot Nos. 20, 50 and 52), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Jack Glassberg, Sidney H. Kitzler and Jacob Chassen.

For Opposition: Jacob B. Graf, Ferdinand Stehle, G. Roth, J. C. Kleinkopf, Thomas A. Carey, Philip Imkof, C. Keiner, H. Gerken and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(458-39-BZ)

WHEREAS, Sidney H. Kitzler, for Chassen Brothers, owners, filed April 6, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district, the alteration and conversion of a stable to a bakery; premises: 60-17 to 60-25 68th road, north side, 165 ft. east of 60th street and 60-18 to 60-20 68th avenue (Block No. 3513, Lot Nos. 20, 50 and 52), Ridgewood, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting October 31, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 68th avenue is in a residence and business use district; 68th road is in a residence and business use district; 60th lane is in a business use district, and 60th street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, re Alt. Application No. 9489-39, dated August 10, 1939, reads:

"4. Building is located in a residence district and any increase in height or area would be contrary to Article 2, section 3 of the Zone Law.

5. The changing of use of stable to bakery in a residence district is contrary to Article 2, section 3 of the Zone Law. (Not further considered.)"

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 50 ft. on 68th avenue, 100 ft. on 68th road and a depth of 180 ft.; OCCUPIED on the 68th avenue front by a one story brick garage (30 ft. by 90 ft.) for more than five (5) motor vehicles (used in the owners bakery business) and a covered driveway leading to the one story frame shipping room. The buildings on 68th road consist of a 2 story former

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structure occupied in cellar as a bakery; 1st story, bakery and as a dwelling on 2nd story; a 3 story frame structure occupied in cellar as a bakery; 1st story, bakery and as dwellings in the 2nd and 3rd stories. Upon the front of the easterly 50 ft. of the 68th road frontage is located a cellar bakery building 50 ft. by 65 ft. in area; above this bakery building is located a one story frame building occupied for storage of stale bakery products. At the rear of this cellar bakery building there is located a two story brick building 25 ft. by 50 ft. in area; formerly used as a stable and hay loft, now used as storage room for baking materials. It is proposed to use this building in conjunction with the rest of the premises as a bakery and to alter this building, by the removal of the westerly wall on the 1st story and also to increase the height of the building by the erection of a 6 ft. high skylight 25 ft. by 12 ft. 6 in. in area. It is proposed, also, to extend the area (at the northwesterly corner) of the cellar bakery building by an area 4 ft. by 20 ft. in area, to provide for dumbwaiter and flour chutes; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, re Alt. Applic. No. 9489-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

704-39-BZ.

APPLICANT—Jack Z. Cohen, for Caroline Candidus and Estate of Charles Doscher, owners (Harry Weissler, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—698-720 Livonia avenue, south side, between Wyona street and Bradford street, 552-562 Bradford street and 545-555 Wyona street (Block No. 3826, Lot Nos. 21 and 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman, Larry Meltzer, Harry Weissler and Murray Levy.

For Opposition: Abraham Corm, Sam Rabinowitz, S. J. Kessin, Paul P. Meltzer and Louis Levine.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(704-39-BZ)

WHEREAS, Jack Z. Cohen, for Caroline Candidus and Estate of Charles Doscher, owners (Harry Weissler, lessee), filed on May 27, 1939, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 698-720 Livonia avenue, south side, from Bradford street to Wyona street, 552-562 Bradford street and 545-555 Wyona street (Block No. 3826, Lot Nos. 21 and 27), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 31, 1939, after due notice by publication

in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Livonia avenue and Riverdale avenue are in business use districts; Wyona street and Bradford street are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, on Applic. No. 1634-39, dated May 22, 1939, reads:

"Proposed storage and parking for more than 5 motor vehicles in a Business Use District contrary to Art. 2, Sec. 4-a, Par. 15 of Bldg. Zone Resolution. Therefore application denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. on Livonia avenue, 100 ft. on Bradford street and 100 ft. on Wyona street. It is proposed to occupy the site, for a temporary period of not more than two years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-h thereof for a term of two years from the date of this resolution, to permit the plot under appeal to be occupied for the parking and storage of more than five (5) motor vehicles of the pleasure-car type only, *on condition* that the plot shall be leveled substantially to the grade of the surrounding streets and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that there shall be erected on the street building lines, a substantial woven wire fence not less than 6 ft. in height, except where unpunctured walls of adjacent buildings occur and except that there shall be erected on the lot line between the rear of the building on Lot No. 33 and the rear of the building on Lot No. 19, a new tight-board fence not less than 6 ft. in height; that such fence shall be kept painted and shall have no sign erected thereon; that the entrance to the plot shall be restricted to one entrance from Livonia avenue, located not nearer than 50 ft. from the corner of Bradford street; that such entrance shall not exceed 15 ft. in width with curb cut opposite of similar width; that during the term of this variance, no building shall be erected on the premises except one, which may be of frame and not over one-story in height and 150 sq. ft. in area, used as an office and shelter for the attendant; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that no signs shall be erected, except there may be a sign on the fence near the entrance, advertising only the parking and storage use and which shall not exceed 15 sq. ft. in area and shall not extend beyond the building line; that no other use shall be permitted on this plot during the term of this variance, other than that granted herein; that there shall be no automobile repairing on the premises; that if any lights for general illumination are erected, they shall be on pipe standards with metal reflectors so arranged as to reflect away from the adjoining occupancies; that all permits required shall be obtained and all work involved, completed within three months from the date of this resolution.

846-39-BZ.

APPLICANT—Amend and Amend, for Central Savings Bank in the City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit

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partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—South side of East 162nd street, 100 ft. west of Sheridan avenue (Block No. 2460, Lot No. 10), Borough of The Bronx.

APPEARANCES—

For Applicant: Myles B. Amend and Frank Reddy.
For Opposition: Earl I. Gallant and A. V. Brandon.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(846-39-BZ)

WHEREAS, Amend and Amend, for Central Savings Bank in the City of New York, owner, filed June 23, 1939, an application under the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: South side East 162nd street, 100 ft. west of Sheridan avenue (Block No. 2460, Lot No. 10), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 31, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 162nd street is in business, residence and unrestricted use districts; Grand Concourse is in residence and business use districts and Sheridan avenue is in unrestricted and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings, dated May 29, 1939, reads:

"Please be advised that your application for a Certificate of Occupancy for the parking and storage of more than five (5) motor vehicles at the above premises, is denied, as the premises are located in a business and residence district, where such use is prohibited by Art. 2, Sections 3 and 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 112 ft. on East 161st street, 112 ft. on East 162nd street and a depth of 232 ft. The southerly portion of the plot is in a business use district. It is proposed to use the plot, for a temporary period of two years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 7-h thereof for a term of two years from the date of this resolution, to permit the portion of the premises located entirely within the business use district to be occupied for the transient parking of more than five (5) motor vehicles, on condition that at no time shall it be used for the permanent storage of motor vehicles; that the use shall be restricted to the transient parking of cars belonging to the patrons of the Concourse Plaza Hotel adjoining; that the plot shall be arranged as to grade, so that an approach may be constructed in the form of a ramp to East 161st street;

that there shall be erected on the line separating the business use from the residence use, a substantial woven wire fence; that a similar fence shall be erected on all interior lot lines surrounding the parking use, where walls of adjacent buildings do not already exist; that all existing structures and fences on the premises within the business use area shall be entirely removed and that a similar fence shall be erected on the line of East 161st street, except that there may be an entrance not exceeding 20 feet in width with curb cut opposite of similar width on 161st street; that proper aisles shall be maintained at all times for easy entrance and exit; that during the term of this variance, this portion of the premises shall be used for no other use and no building shall be erected thereon, except there may be erected a building not over 150 sq. ft. in area and one-story in height, which may be of frame, located near the entrance, as a shelter for the attendant; that an attendant shall be maintained at all times during the time the parking lot is open for customers; that no signs shall be erected except one on the fence near the entrance, stating that such use is exclusively for the patrons of the Concourse Plaza Hotel; that such sign shall not exceed 15 sq. ft. in area and shall not extend beyond the building line; that such fire-fighting appliances shall be installed as the Fire Commissioner may direct; that all permits required shall be obtained and all work involved, completed within three months from the date of this resolution.

Adjourned: 3:10 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 31, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

APPEALS FROM ADMINISTRATIVE DECISIONS

696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake.

For Owner: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 21, 1939, at 2 P. M., pending decision in Court of Appeals in similar case.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

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APPEARANCES—

For Applicant: George G. Lake.

For Owner: Joseph Ferber.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 21, 1939, at 2 P. M., pending decision in Court of Appeals in similar case.

925-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—The Salvation Army.

SUBJECT—Appeal from a decision of the borough superintendent of buildings, re Revocation of Certificate of Occupancy No. 21124-36.

PREMISES AFFECTED—220-224 West 124th street, south side, 193 ft. west of Seventh avenue (Block No. 1929, Lot No. 41), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake and Max Siegel.

For Owner: Donald Larmee and T. B. Dickinson.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO REVOKE CERTIFICATE OF OCCUPANCY—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(925-39-A)

WHEREAS, George G. Lake, for John J. Campbell, adjoining property owner, filed on July 10, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 220-224 West 124th street, south side, 193 ft. west of Seventh Avenue (Block No. 1929, Lot No. 41), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated June 20, 1939, reads:

"I have had the records checked in connection with statements contained in your letters of May 3rd and June 12th.

There is as you state, a certificate of occupancy, No. 21124, as stated in our reply to you under date of June 6, 1939.

Relative to your request that we revoke the certificate of occupancy issued by this department, I would advise that we are without authority to revoke the certificate of occupancy. The Charter for the City of New York provides under Section 646, paragraph g. . . .

'Every certificate of occupancy shall, unless and until set aside or vacated by the board of standards and appeals or a court of competent jurisdiction, be and remain binding and conclusive upon all agencies and officers of the city; . . .'

Any petition for revocation of the certificate of occupancy of the subject premises may be acted upon only by the Board of Standards and Appeals."

and

WHEREAS, the building is 5 stories (75 ft.) in height, 50 ft. by 95 ft. in area, of fireproof construction; erected in 1901; located in a business use, "B" area district; occupied since 1935, as follows: Basement—heating, storage, showers; 1st floor—offices and dining rooms, 200 persons; 2nd floor—offices and sleeping rooms, 112 persons; 3rd floor—sleeping and lounge rooms, 183 persons; 4th and 5th floors, sleeping rooms, 100 persons per floor; for which Certificate of Occupancy No. 21124-36 was issued March 24, 1936; and

WHEREAS, the applicant contends that the Salvation Army

is not a public institution; that the lodging house in question where fees are charged is not a public institution as intended by subdiv. 3 of section 4 of the Multiple Dwelling Law and consequently the building must conform with all the requirements of the Multiple Dwelling Law, relating to new buildings; and

WHEREAS, the building does not comply with the provisions of a class B Multiple Dwelling as to rear yard and perhaps other respects; and

WHEREAS, the board finds that the building is essentially a public institution not subject to the requirements of the Multiple Dwelling Law and is occupied by a non-profit making institution and the costs of operation are borne mainly from income derived from payments by the City.

Resolved, that the decision of the borough superintendent, dated June 20, 1939, as to certificate of occupancy No. 21124-36, be and it hereby is *affirmed* and that the appeal to revoke same be and it hereby is *denied*.

1159-39-A.

APPLICANT—Merrick Contracting Co., Inc. (lessee), for Harry Lederer, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—176-01 Baisley boulevard, east side, Irwin place and 120th avenue (Block No. 3180, Lot No. 1), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Frances J. Robinson.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1159-39-A)

WHEREAS, Merrick Contracting Co., Inc. (lessee), for Harry Lederer, owner, filed September 21, 1939, an appeal from a decision of the borough superintendent, affecting premises 176-01 Baisley boulevard, east side, Irwin place and 120th avenue (Block No. 3180, Lot No. 1), St. Albans, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 622-39, dated August 31, 1939, reads:

"The use of a frame building as a cabaret is prohibited by Sec. 4.2.1 of the Building Code."

and

WHEREAS, the building is one story (17 ft. 6 in.) in height, 50.90 ft. by 133 ft. irregular in area, of Class 4 construction, located in a business use "D" area district, erected in 1923 and occupied: Cellar—boiler room and equipment—1 person; 1st floor—dance hall and cabaret—550 persons; and

WHEREAS, the applicant contends that this appeal is made to secure a certificate of occupancy as a cabaret, as requested by the Police Commissioner, before a cabaret license will be issued; that these premises have been used and occupied as a restaurant and dance hall or cabaret or public building since 1930; that a certificate of occupancy for a restaurant and dance hall on these premises has been granted by the Department of Housing and Buildings; that on the basis of the issuance of the certificate of occupancy for a restaurant and dance hall, a considerable capital investment has been made by the owner and lessee; that a considerable hardship would be worked upon these people, if now they are told that they can no longer use the building for the purpose for which they had been occupying it for the last nine years; that the building is well provided with fire prevention apparatus, has a considerable number of exits, is only a one story building, and consequently

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under no circumstances could be considered as a fire trap, and

WHEREAS, the Board finds that while plans were approved by the Commissioner of Buildings, the frame building of the present size is not subject to a certificate of occupancy; and

WHEREAS, upon inspection by a committee of the Board, it was the opinion of the committee, that in view of the isolated location, the use could safely be continued and the cabaret license sought issued, subject to certain conditions.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 622-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or occupancy; that the open space around the building for a distance of 100 feet in all directions shall not be built upon; that the exit doors shall be equipped with panic bolts; that there shall be installed on the ceilings of the dressing rooms behind the music platform and in the kitchen, fire extinguishers of approved type equipped with self-contained sprinkler heads and that in all other reports the building and occupancy shall be maintained to the satisfaction of the Borough Superintendent and the Fire Commissioner.

MATERIAL SUBMITTED FOR APPROVAL

227-39-SM.

APPLICANT—Johns-Manville Sales Corporation, owner.

SUBJECT—Johns-Manville Rock Wool Home Insulation,

Types A, B and C—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(227-39-SM)

WHEREAS, Johns-Manville Sales Corporation, owner, filed February 24, 1939, an application with the Board of Standards and Appeals for approval of the material known as Johns-Manville Rock Wool Home Insulation, Types A, B and C; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

October 31, 1939.

(Cal. 227-39-SM)

Subject: Johns-Manville Rock Wool Home Insulation Types A, B and C, Approval of.

Johns-Manville Sales Corporation, owner filed February 24, 1939, an application with the board of Standards and Appeals for approval of the material known as Johns-Manville Rock Wool Home Insulation, Types A, B and C, under the provisions of C. 26-535.0 a and b (8.7.1.8.1 and 2) C. 26-667.0.2 (10.9.2.2) C. 26-683.0-688.0 (10.13.1-6) C. 26-710.0 (11.3.8.14) Adm. Bldg. Code and Art. 2 Sect. 8, Art. 3, Sect. 33 and 52 and Art. 5 Sect. 152, Multiple Dwelling Law.

Johns-Manville Rock Wool Home Insulation Types A, B, and C is produced from Lime Stone—slag and other minerals which are melted down together in a cupola to produce a finished incombustible stable fibre. After blowing from the cupola the Rock Wool fibre is further processed into the types below.

Type A—Type A is a nodulated form of Rock Wool that has been processed into pellet form for installation through pneumatic equipment to stud and joist spaces of buildings.

The normal density to which Type A is packed by the pneumatic equipment is 7 pounds per cubic foot. This type is furnished in strong Kraft paper bags—weighing 30 pounds each.

Type B Full Thick Batts—Type B Full Thick Batts are felted Rock Wool Batts 15" x 48", 15" x 23", 3 5/8" or Full stud thickness. The felted, resilient insulation having an approximate density of 3 1/2 pounds attached to a heavy water-proof paper backing with flanges on the long dimension edges for quick and proper attachment to studs or joist faces.

Type B Semi-Thick Batts—Type B Semi-Thick Batts are identical in formation, application and size with the Full Thick Type B Batts except that the thickness, as its name implies, is half that of Full Thick or 2".

Type C or Junior Full Thick Batts—Type C or Junior Full Thick Batts are felted Rock Wool pads 8" x 15" and 12" x 15" in full wall thickness or 3 5/8" without the water-proof paper backing. This product has an approximate density of 3 1/2 pounds per cubic foot.

This material was subjected to fire tests at the Johns-Manville Research Laboratories at Manville, N. J., June 22, 1939. Present at this test were representatives of the Board of Standards and Appeals and of the Johns-Manville Company.

Construction of Panel:

One 4 ft. x 5 ft. wood stud panel was constructed according to sketch filed. Three 16 in. stud spaces were centered in the panel leaving one narrow space at each end. Wood lath was applied to one face of the studs.

The center stud space was filled with J-M Ful-Thik Super-Felt (3.4 lb. per cu. ft. density). This is a mineral wool insulation furnished in batt form, 15 in. x 48 in., with a water-resistant paper backing. The Super-Felt is used to fill stud spaces in new construction. For this test the paper backing was placed toward the fire face of the test panel.

One stud space next to the center was filled with J-M Home Insulation Type C (3.3 lb. per cu. ft. density). This material is similar to the J-M Ful-Thik Super-Felt, also furnished in batt form (8 in. x 15 in.), but without a paper backing.

After wood lath had been applied to the second face, both sides were covered with standard 3 coat plaster (2:1 mix, scratch and brown) to 3/4 in. thickness over the face of the lath.

Later, the remaining full stud space was filled with J-M Home Insulation Type A (6.5 lb. per cu. ft. density). This product is in loose, nodulated form, generally blown into the walls of existing structures under low pressures. For this test the insulation was blown at the factory and then dropped into the stud space by hand through an opening cut in the top of the panel.

During the construction of the test section, 22 ga. chromel-alumel thermo-couples were fastened to the fire face of the two center studs behind the wood lath at center height.

Test Procedure and Results:

The completed panel was installed in the laboratory fire test furnace and all sides sealed with J-M No. 450 Cement.

Temperatures in the fire chamber space were raised as nearly as possible in accordance with the standard fire curve by means of a manifold connected to gas and air supply lines. This manifold consisted of fourteen 3/8 in. burners equally spaced on the center line of the base of the fire chamber.

Temperatures inside the furnace were recorded by means of five 8 ga. chromel-alumel thermocouples symmetrically placed on the diagonals of the fire chamber space. These thermocouples were attached through a cold junction box to a Leeds and Northrup Portable Potentiometer.

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Exterior temperatures were recorded by means of three 22 ga. chromel-alumel thermocouples held against the unexposed face at the center of the main stud spaces beneath 0.4 in. fire felt pads. These thermocouples together with the two inside the panel were connected to a second Leeds and Northrup Portable Potentiometer through the cold junction box.

Temperature readings were taken with all thermocouples every four minutes during the test.

Some difficulty was encountered in raising the furnace temperature rapidly enough, so the test was continued an additional 8 minutes over the hour to bring the area under the actual curve into compliance with the area under the standard curve.

Results of Test:

No cracking appeared on the exterior face of the panel other than the original crack. (Photograph No. II.) Plaster on the fire face was bowed in 2 to 3 inches. The central section was cracked and flames were issuing from the interior of the panel through the cracks. Panel was removed from the furnace and flames extinguished with water. Plaster from the fire face remained in place in the furnace. The lath on the fire face was nearly all consumed. (Photograph No. III.) The binder was burned out of the J-M Ful-Thik Super-Felt and J-M Home Insulation Type A to within about $\frac{3}{4}$ in. of full depth at the center of the exposed areas. The insulations were discolored the remaining depth. The fire face was surface sintered, not more than $\frac{1}{8}$ in. deep. The wood lath behind these materials on the unexposed face was discolored slightly and had just started to char, possibly $\frac{1}{64}$ in. The J-M Home Insulation Type A was discolored about 1 in. deep at the most and surface sintered. The wood lath on the unexposed face was discolored slightly but not charred. Wood studs were charred about $\frac{1}{2}$ the depth at the maximum. (Photograph No. IV.)

On the basis of this test the committee recommends the approval of Johns-Manville Rock Wool Home Insulation Types A, B & C, be approved as a fire retarding material under the Supplementary Rules and Regulations of the former Tenement House Department

Sec. 1-2.4 and C-26-191.0 A.C. (2.2.3 BC) provided that the material shall be placed in the studs at a density of not less than 7 lbs. per cu. ft. When blown in, it shall be well compacted to eliminate possible voids and prevent bridging where plaster keys are excessive. If cross bridging or other obstructions exist, means shall be taken to gain access to all spaces between the studs to be fire-retarded.

Approval is also recommended for the use of Johns-Manville Rock Wool Home Insulation, Types A, B & C, as a firestop under Sec. 1-5 of the Supplementary Rules and Regulations of the former Tenement House Department and under C26-535.0 sub. a and b A.C. (8.7.1.8.1 and 8.7.1.8.2 BC). When this material is installed in accordance with the requirements of these sections and when so installed the density shall not be less than 7 lbs. per cu. ft.

It is further recommended that Johns-Manville Rock Wool Home Insulation Types A, B & C shall be installed under the supervision of the manufacturer or his agents and that each bag or carton containing this material shall be stamped, labelled or tagged reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 227-39-SM."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Johns-Manville Rock Wool Home Insulation, Types A, B and C, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

Adjourned, 4:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 **APPROVED**: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 **AUTOMATIC PUMP**: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 **BURNER**: A device designed for the purpose of burning oil.
- 2.5 **COMMERCIAL INSTALLATIONS**—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 **CONTROLS**—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 **DISCHARGE LINE**: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 **DOMESTIC INSTALLATIONS**—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 **DWELLINGS**: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.
- 2.10 **ELECTRICALLY GROUNDED**: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:
 - 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch ($\frac{1}{2}$ ") in diameter.
 - 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 **FILL PIPE**: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 **FIRE RETARDING MATERIALS**:
 - 2.12.1 One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 **GROUND**: An electrical conductor having capacity to absorb current.
- 2.14 **INDUSTRIAL INSTALLATIONS**: Oil burner installations for industrial purposes.
- 2.15 **OIL**: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.
- 2.16 **OIL BURNING EQUIPMENT**: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 **OIL LEVEL INDICATING DEVICE**: A means by which the level of the oil in a storage tank may be indicated.

RULES

- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (Ameri-

can Society for Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A. P. I.)	40-44°
No. 1 Fuel Oil	"	"	"	36-40°
No. 2	"	"	"	32-36°
No. 3	"	"	"	28-32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.

- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.

- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:

Tanks 36 in. in diameter and less—¼ in shell, ¼ in. heads.

Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.

Tanks 73 to 120 in. in diameter—5/16 in. shell, 3/8 in. heads.

Tanks over 120 in. in diameter to be of 3/8 in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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- [d] 5.1.4 All cylindrical, oval or abroad storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

- [e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

- [a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.
- [b] 5.2.2 Corners may be made up by bending the plates or by use of angles.
- [c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.
- [d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.
- [e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.
- [f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.
- [g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.
- [h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

- [a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

- [b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

- [c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

- [d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

- [e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

- [a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks

- [b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

- [c] 5.4.3 Roof plates shall have single riveted water-tight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

- [d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart. Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20') feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet..... | 24,000 " |
| If distant 40 feet..... | 36,000 " |
| If distant 50 feet..... | 48,000 " |
| If distant 60 feet..... | 60,000 " |
| If distant 75 feet..... | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch (¾") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches (1¼") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than ⅛ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such control may be located immediately inside the

room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and all piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.1.4.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

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lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.

- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

Name of Pump	Calendar No.	Name of Pump	Calendar No.
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Quimby Screw Pump	1193-21-SA
Century Rotary	908-21-SA	Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB, 77-OB, 90B-1, 90B-2, S-1 and S-2.....	199-36-SA
Enterprise Oil Pump	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Oil Pump, Types S, 2S and 4S.....	281-38-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Goulds Triplex Plunger	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
Leiman Rotary	95-24-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Marsh Fuel Oil Pump.....	1050-23-SA	Worthington Show Model Duplex.....	194-22-SA
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA	Yale and Towne Tri-Rotor Pump.....	191-39-SA
M. D. Rotary	52-27-SA		

RULES

RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939.
EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE
NEW YORK CITY CHARTER, FEBRUARY 27, 1939.

(835-38-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraphs 2 and 3, of the New York City Charter and C26-1268.0c 4 (14.7.1.3 BC) and C26-1277.0h (14.8.2.8 BC), of the Administrative Code.

Rule 1. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly from the City Water Supply System (and not supplied from separate riser and tank), shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the overflow level of the fixture, to prevent siphonage or backflow of contaminated water into the house water distribution piping and checked by the inspector.

Rule 2. Ballcocks.

Flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than one-half inch above the overflow outlet of the flush tank.

Rule 3. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the overflow level of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture.

Rule 4. Sterilizers.

Direct water supply piping connections to sterilizers are prohibited. The waste piping for sterilizers shall not connect directly with any drainage system; such waste piping shall discharge above an open, water supplied, trapped and vented fixture.

Rule 5. Aspirators—Water Siphons.

Water supply connections to aspirators, water siphons or similar apparatus shall be equipped with an

approved vacuum breaker and check valve, the check valve to be located between the fixture and vacuum breaker. The waste pipe for this type of apparatus shall not connect directly with any drainage system but shall discharge above an open, water supplied, trapped and vented fixture.

Rule 6. Bidets—Bed Pan Washers.

Water supply connection to bidets, bed pan washers, or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker.

Rule 7. Roof or Suction Tanks.

Water supply inlets to roof or suction tanks shall be located at least two inches above the overflow level of the tank.

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes to sump, well, or similar type pumps shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant agency from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation.

APPROVED VACUUM BREAKERS

Name	Calendar No.	Name	Calendar No.
Beal Vacuum Breaker	685-39-SM	Murray and Sorenson Flush Valve Vacuum Breaker	494-39-SM
Bidoro Vacuum Breaker, Type D, sizes 1", 1 1/4", 1 1/2", 2", 2 1/2", 3", 3 1/2" and 4"	270-28-SA	Nibco Ace Type Back-Siphon Ball Cock.....	416-39-SM
Cadwell Syphon Breaker, Model 125.....	165-39-SA	Novac Flush Valve Vacuum Breaker.....	174-38-SA
Cadwell Syphon Breaker and Agitator, No. 115	370-39-SA	Penberthy Vacuum Breaker.....	1200-38-SA
Coldwater Brass Co. Anti-Back Syphonage Ballcock C.B.C., No. 136.....	439-39-SA	Scovill M. V. B. No. 22 Ballcock.....	942-38-SA
Crane Company Vacuum Breakers for Supply Fixtures, C-7830, sizes, 3/8", 1/2", 3/4", 1", 1 1/4", 1 1/2", 2" and 3"	750-38-SA	Scovill "S" Vacuum Breaker Ballcock.....	109-39-SA
Crane Company Vigilant Vacuum Breaker....	345-38-SA	Scovill Vacuum Breaker Ballcock, No. 18....	515-39-SM
Delany Vacuum Breaker, Model DV-88.....	842-38-SA	Sloan Vacuum Breaker, Model V-60-A.....	167-38-SA
Delany Vacuum Breaker, Model DV-90.....	379-39-SA	Standard Sanitary Tank-Vacuum Breaker....	208-39-SA
Hedges and Brother Pilot Vacuum Valve.....	186-39-SA	Vac-O-Vent, Model B	477-39-SM
Kohler K-9251 Float Valve and Vacuum Breaker	492-39-SM	Watrous Flush Valve and Vacuum Breaker, Models Imperial, Majestic and Jewel.....	351-38-SA
		Watts-Vacuum Breaker, No. 88.....	346-39-SA

RULES

RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939.

(1139-39-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Building Code (2.2.1.1) and C26-610.0 Administrative Building Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Building Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Building Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough

Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9 (7.2.3.1 to 7.2.3.9 inclusive).

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labels.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($\frac{7}{8}$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($\frac{1}{4}$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($\frac{1}{2}$) inch plaster boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, one-half ($\frac{1}{2}$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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No. 46

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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Approved Paint, Varnish and Lacquer Spraying Equipment.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to November 7, 1939

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
1342-39-A.....	H.B.Q.....	30-80 Steinway street, west side, 182.66 ft. north of Jamaica avenue (Block No. 660, Lot No. 82), Astoria, Borough of Queens, Alt. 2232-39.
1343-39-SM.....		Kalite Acoustical Plaster, manufactured by Certain-Teed Products Corporation, Material.
1344-39-A.....	F.D.....	319-327 McKibben street, north side, 120 ft. west of White street and 318-326 Boerum street (Block No. 3083, Lot No. 11), Borough of Brooklyn, Decision re 78762-L.C.
1345-39-SM.....		Cinder Lightweight Concrete Units (Non-Load bearing) and Cinder Building Unit (Load-bearing), manufactured by Concrete Units, Inc., Material.
1346-39-SM.....		Sand and Pea Gravel Concrete Units (Non-Load bearing) and Concrete Units (Load bearing), manufactured by Concrete Units, Inc., Material.
1347-39-SM.....		Lightweight Pottisco Concrete Units (Non-Load bearing) and Pottisco Building Units (Load bearing), manufactured by Concrete Units, Inc., Material.
1348-39-A.....	H.B.M.....	19 Cornelia street, west side, 215.11 ft. south of West 4th street (Block No. 590, Lot No. 40), Borough of Manhattan, Alt. 2415-39.
1349-39-A.....	H.B.B.....	346 Ocean parkway, west side, 40 ft. south of Avenue "C" (Block No. 5374, Lot No. 12), Borough of Brooklyn, Applic. 4423-39.
1350-39-BZ.....	H.B.B.....	5919 - 5929 Flatlands avenue, northwest corner of Paerdegat avenue (Block No. 7763, Lot No. 41), Borough of Brooklyn, N.B. 2701-39.
1351-39-A.....	H.B.B.....	117 - 151 Georgia avenue and 316-326 Liberty avenue, southeast corner (Block No. 3702, part of Lot No. 1), Borough of Brooklyn, Alt. 4254-39.
1352-39-S.....	H.B.B.....	117 - 151 Georgia avenue and 316-326 Liberty avenue, southeast corner (Block No. 3702, part of Lot No. 1), Borough of Brooklyn, Alt. 4254-39.
1353-39-S.....	H.B.M.....	727-729 Fifth avenue, southeast corner of East 57th street

(Block No. 1292, Lot No. 66),
Borough of Manhattan,
N.B. 173-39.

1354-39-SA.....		The S.S. White Master Dental Unit, Appliance.
1355-39-A.....	H.B.M.....	485 Madison avenue and 28-36 East 52nd street, southeast corner (Block No. 1287, Lot No. 52), Borough of Manhattan, Decision.
1356-39-BZ.....	H.B.Bx.....	848 East 176th street, south side, 93 ft. east of Marmion avenue (Block No. 2958, Lot No. 19), Borough of The Bronx, N.B. 908-39.
1357-39-BZ.....	H.B.Bx.....	South side of Hugh J. Grant Circle, 95.69 ft. west of East 177th street (Block No. 3795, Lot No. 9), Borough of The Bronx, N.B. 885-39.
1358-39-SM.....		Benjamin Riesner Ventilating Brick, manufactured by Benjamin Riesner, Material.
1359-39-SA.....		Flush, Fill and Vent Company Flush, Fill and Vent Box, Appliance.
1360-39-A.....	F.D.....	24-28 Columbia street, southwest corner of Pacific street (Pier No. 23, East River); (Block No. 287, part of Lot No. 68), Borough of Brooklyn, 81187-L.C.
1361-39-A.....	H.B.B.....	1245 84th street, north side, 320 ft. west of 13th avenue (Block No. 6308, Lot No. 60), Borough of Brooklyn, B.N. 6659-39.
1362-39-BZ.....	H.B.B.....	804-818 East New York avenue, south side, 302 ft. 1½ in. east of Troy avenue (Block No. 4806, Lot Nos. 69-73), Borough of Brooklyn, B.N. 5654-39.
1363-39-A.....	H.B.B.....	936 Lenox road, south side, 60 ft. east of East 56th street (Block No. 4662, Lot No. 4), Borough of Brooklyn, Alt. 3571-39.
1364-39-A.....	H.B.B.....	938 Lenox road, south side, 80 ft. east of East 56th street (Block No. 4662, Lot No. 5), Borough of Brooklyn, Alt. 3572-39.
<i>Restored to Calendar</i>		
278-24-BZ.....	H.B.M.....	441-451 West 167th street, northwest corner of Edgecomb avenue (Block No. 2112, Lot No. 56), Borough of Manhattan, N.B. 25-24.

DESIGNATIONS: H.B.—Department of Housing and Buildings;
H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—

CALENDAR

Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS

On November 10, 1939, John P. Gering, attorney, served on Board petition and order of certiorari, in behalf of Sarah Barch, owner, in re decision of Board of September 26, 1939, denying right to continue illegal motor vehicle repair shop, Cal. No. 884-39-A, premises 81-19 Kneeland avenue, Elmhurst, Borough of Queens.

COURT DECISION

Matter of Bruchhausen (Murdock)—On Sept. 20, 1938, Board affirmed decision of Boro. Supt. of Buildings denying Application 11730-1938 for erection of gasoline station on same block with a Public School, in an unrestricted use district, Cal. No. 783-38-A, at premises 30-36 Henry St., N.W. cor. Middagh St., Borough of Brooklyn. Mr. Justice Kadien sustained Board (N.Y.L.J., Jan. 7, 1939) stating in part: "It is evident that the danger to school children is as real in an unrestricted area as it is in a restricted district. Section 21 of the Building Zone Resolution was framed for the safety, health and protection of school children. This section therefore must be liberally construed in favor of the public for whose benefit it was enacted."

Appellate Division, 2nd Dept., unanimously affirmed order of Special Term confirming Board's decision. (N.Y.L.J., Nov. 8, 1939.)

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NOVEMBER 14, 1939. 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 14, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 479-39-BZ—Application, April 17, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Board of Transportation, City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 209 East Houston street, southeast corner of Ludlow street and 167-179 Essex street, west side, 100 ft. south of East Houston street (Block No. 412, Lot No. 53), Borough of Manhattan.

CAL. NO. 539-39-BZ—Application, April 28, 1939, under section 7h of the building zone resolution, of Albert Homer Swanke, applicant, on behalf of Louis H. Pink, Superintendent of Insurance of the State of New York, as Liquidator of the Lawyers Title and Guaranty Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1455-1465 Madison avenue, east side, from East 100th street to East 101st street, 51 East 100th street and 48-50 East 101st street (Block No. 1606, Lot Nos. 20, 21, 24, 49, 50, 51, 52 and 53), Borough of Manhattan.

CAL. NO. 1098-39-BZ—Application, September 1, 1939, under sections 7b and 7c of the building zone resolution, of LeRoy P. Ward, applicant, on behalf of Society of Illustrators, Inc., owner, to permit partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of an existing building to a club and busi-

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ness use; premises 128 East 63rd street, south side, 80 ft. west of Lexington avenue (Block No. 1397, Lot No. 60), Borough of Manhattan.

CAL. NO. 667-39-BZ—Application, May 22, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Louis Kliegman, owner (Theodore Tannor, lessee), to permit in a business use district, the extension of an accessory building located on an existing gasoline service station; premises 928-932 Stone avenue, northwest corner of Linden boulevard (Block No. 3639, Lot No. 1), Borough of Brooklyn.

CAL. NO. 52-16-BZ—Application of John Thatcher and Son, Inc., and Wingate and Cullen, applicants, on behalf of Annie McDonald, owner (William Levine, lessee), reopened June 13, 1939, under sections 7c and 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, a motor vehicle repair shop; said building on same street with public school (permission to erect the building as a garage previously granted by the board); premises 761 Park place, north side, 90 ft. east of Rogers avenue (Block No. 1233, Lot No. 81), Borough of Brooklyn.

CAL. NO. 1013-38-BZ—Application, November 10, 1938, under section 7h of the building zone resolution, of John Beveridge, applicant and lessee, on behalf of Jesse Knight, Edith Howells, Daisy Howells, American Savings Bank, Ernest Hoehn and Union Dime Savings Bank, owners, to permit in a business use district, the parking and storage of more than five (5) motor vehicles (previously dismissed for lack of prosecution; dismissal action rescinded and application restored to calendar); premises 1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21 to 25, inclusive), Borough of Manhattan.

CAL. NO. 413-39-BZ—Application, March 30, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of New York Rapid Transit Corporation and Brooklyn-Manhattan Transit Company, owners (Gulf Oil Corporation, lessee), to permit partly in a business use district and partly in a residence use district, the extension of a gasoline service station; premises 464-484 Flatbush avenue and 1-33 Ocean avenue, southwest corner (Block No. 5024, part of Lot Nos. 28 and 37), Borough of Brooklyn.

CAL. NO. 552-39-BZ—Application, May 3, 1939, under section 21 of the building zone resolution, of Bernhardt T. Berman, applicant, on

behalf of Elias Goldberg, owner, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1028-1030 Utica avenue, west side, 100 ft. south of Tilden avenue (Block No. 4734, Lot No. 11), Borough of Brooklyn.

CAL. NO. 103-31-BZ—Application Lama and Proskauer, applicants, on behalf of Aljac Garage and Repair Shop, Inc., owner, reopened February 28, 1939, under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station (previously granted by the board re garage for more than five (5) motor vehicles); premises 124-17 Metropolitan avenue, north side, 20.68 ft. east of 124th place (Block No. 9243, Lot Nos. 185, 189 and 318), Richmond Hill, Borough of Queens.

CAL. NO. 1203-39-BZ—Application, September 29, 1939, under section 7c of the building zone resolution, of Edwin W. Kleinert and A. Stanely Miller, applicants, on behalf of Security Construction Company, owner, to permit the erection of a business building (stores), extending from a business use district into a residence use district; premises 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-0, 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens.

Appeal from Administrative Decision

1046-39-A—69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-01 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens (Under Section 35. General City Law re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 14, 1939, 2 P. M.

Appeals from Administrative Decisions

1058-39-A—24 First avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.

1290-39-A—883 Eastern parkway, north side, 87 ft. east of Albany avenue (Block No. 1388, Lot No. 74), Borough of Brooklyn.

1351-39-A—117-151 Georgia avenue and 316-326 Liberty avenue, southeast corner (Block No. 3702, part of Lot No. 1), Borough of Brooklyn.

1303-39-A—42 Floyd avenue, south side, 390 ft. east of Nostrand avenue (Block No. 1742, Lot No. 24), Borough of Brooklyn.

1327-39-A—3069-3121 Avenue Z, northwest corner of Knapp street (Block No. 7452, Lot No. 1), Borough of Brooklyn.

1385-39-A—297-307 Lenox road, north side, 79 ft. 8½ in. east of Nostrand avenue (Block No. 4837, Lot Nos. 89-91), Borough of Brooklyn.

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1231-39-A—119-19 103rd avenue, northwest corner of 120th street (Block No. 9487, Lot No. 36), Richmond Hill, Borough of Queens.

1247-39-A—Blocks bounded by 150th street, 107th, 108th and 109th avenues (Block Nos. 10126, 10137 and 10147, Lot No. None), South Jamaica, Borough of Queens.

1300-39-A—84-05 78th avenue, northeast corner of 84th street (Block No. 3840, Lot No. 24), East Glendale, Borough of Queens.

1259-39-A—30-01 to 30-25 49th avenue, 48-01 30th street, southwest corner, 30-02 to 30-28 48th avenue and 48-02 30th place (Block No. 287, Lot No. 11), Long Island City, Borough of Queens.

1252-39-A—585-587 Eighth avenue, west side, 49 ft. 5 in. south of West 39th street and 306 West 39th street (Block No. 762, Lot Nos. 38, 39 and 44), Borough of Manhattan.

981-39-A—87 34th street, northwest corner of Third avenue (Block No. 683, Lot No. 1), Borough of Brooklyn.

1301-39-A—Northeast corner of Maspeth avenue and Varick avenue (Block No. 2838, Lot No. 1), Borough of Brooklyn.

1271-39-A—11-25 Madison avenue and 38-60 East 25th street, southeast corner (Block No. 854, Lot Nos. 1 to 41, inclusive), Borough of Manhattan.

Variation of the Labor Law

1352-39-S—117-151 Georgia avenue and 316-326 Liberty avenue, southeast corner (Block No. 3702, part of Lot No. 1), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 14, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 77-33-BZ—Application of Martin C. Epstein, applicant, on behalf of Matilda Kessel, Administratrix of Estate of Vincent J. Repaci, owner, reopened October 17, 1939, re extension of permit—re Application, previously granted on condition under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period; premises southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 21, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 21, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 982-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution,

of Robert J. Farrington, applicant, on behalf of Chapinald Realty Corporation, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 406-420 West 55th street, south side, 100 ft. west of Ninth avenue (Block No. 1064, Lot Nos. 37 to 42, inclusive), Borough of Manhattan.

CAL. NO. 1091-39-BZ—Application, September 5, 1939, under sections 7h and 21 of the building zone resolution, of Thomas W. Lamb, Inc., applicant, on behalf of Sixth Avenue and 44th Street Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1120-1136 Sixth avenue, east side, entire block from West 43rd street to West 44th street (Block No. 1259, Lot No. 1), Borough of Manhattan.

CAL. NO. 1138-38-BZ—Application, December 8, 1938, under sections 7e and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Elsie Maresca and Mary Maresca, owners, to permit in a business use district, the conversion of occupancy of a building occupied as auto laundry, stores, battery service and storage for five (5) motor vehicles to auto laundry, grease pits, motor vehicle repair shop and storage for more than five (5) motor vehicles; premises 2637-2645 Webster avenue, west side, 130.60 ft. north of East 194th street (Block No. 3277, Lot No. 41), Borough of The Bronx.

CAL. NO. 68-39-BZ—Application, January 18, 1939, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of B. S. and B. Co., Inc., owner (Thomas Viola, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2963-2965 Webster avenue, west side, 125 ft. north of Bedford Park boulevard (Block No. 3280, Lot No. 58), Borough of The Bronx.

CAL. NO. 1094-39-BZ—Application, August 23, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Sheffield Farms Company, Inc., applicant and owner, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 52-02 Flushing avenue, south side, 106 ft. west of Sophie street and 52-15 Metropolitan avenue (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

CAL. NO. 212-34-BZ—Application of Michael Marlo, applicant, on behalf of Carmelo Oddo, owner

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(Michael Monterosa, lessee), reopened June 20, 1939, under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station; said gasoline station was previously granted by the Board for a temporary period; premises 1709 Neptune avenue and 2760-2770 Cropsey avenue, northwest corner (Block No. 6994, Lot Nos. 97 and 99), Borough of Brooklyn.

CAL. NO. 813-39-BZ—Application, June 19, 1939, under section 21 of the building zone resolution, of Wood and Marshall, applicants, on behalf of Samuel H. Baylis, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 120-43 to 120-45 Farmers boulevard, northeast corner of 121st (Arthur) avenue (Block No. 3362, Lot No. 1), St. Albans, Borough of Queens.

CAL. NO. 1025-39-BZ—Application, August 7, 1939, under section 21 of the building zone resolution, of Frank J. Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

CAL. NO. 1018-38-BZ—Application of John F. Meehan, applicant, on behalf of The Rector, Church Wardens and Vestrymen of Trinity Church in the City of New York, owner (Caswell Motor Company, lessee), reopened October 24, 1939 re extension of time to complete work—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3740 Broadway, northeast corner of West 155th street (Block No. 2114, Lot No. 1), Borough of Manhattan.

CAL. NO. 76-37-BZ—Application of Edwin H. Snackenberg, applicant, on behalf of Albert Edelman, owner, reopened October 24, 1939 re extension of term of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles for a temporary period; premises 601-611 Livonia avenue, northeast corner of Sheffield avenue (Block No. 3805, Lot No. 1), Borough of Brooklyn.

CAL. NO. 836-39-BZ—Application, June 21, 1939, under section 21 of the building zone resolution, of Isidore Wolsk, applicant, on behalf of Gotham Equities Corporation, owner, to permit in a business use district, the erection and maintenance of a gaso-

line service station; premises 1793-1799 Eastern parkway, north side, 68.4 ft. west of Dean street and 2348-2354 Dean street (Block No. 1449, Lot Nos. 19 and 21), Borough of Brooklyn.

CAL. NO. 1093-39-BZ—Application, August 17, 1939, under section 21 of the building zone resolution, of Lockwood Greene Engineers, Inc., applicant, on behalf of News Syndicate, Inc., owner, to permit in an unrestricted use district and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building; said extension not conforming with the "B" area requirements of the building zone resolution; premises 684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28, inclusive), Borough of Brooklyn.
HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 21, 1939, 2 P. M.

Appeals from Administrative Decisions

- 1219-39-A—440 East 102nd street, southwest corner of East River drive (Block No. 1695, Lot No. 25), Borough of Manhattan.
- 697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.
- 696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.
- 1320-39-A—1070 Madison avenue and 26 East 81st street, southwest corner (Block No. 1492, Lot No. 56), Borough of Manhattan.
- 1340-39-A—96-100 Hudson street and 1-5 Leonard street, northeast corner and 161-163 Franklin street (Block No. 179, Lot No. 56), Borough of Manhattan.
- 1402-39-A—70G-72G Gouverneur street, entire block, bounded by Gouverneur, Madison, Jackson and Water streets (Buildings 1 to 18, inclusive); (Block No. 260, Lot No. 1), Borough of Manhattan.
- 1403-39-A—345M-367M Madison street, north side, 95.79 ft. east of Scammel street, through to Henry street (Buildings 19 and 20); (Block No. 267, Lot No. 24), Borough of Manhattan.
- 1404-39-A—14J-22J Jackson street, northeast corner of Monroe street and south side of Madison street (Buildings 22 and 24); (Block No. 265, Lot Nos. 1 and 2), Borough of Manhattan.
- 1405-39-A—28J-44J Jackson street, northeast corner of Cherry street and south side of Monroe street (Buildings 21 and 23); (Block No. 263, Lot Nos. 40 and 45), Borough of Manhattan.
- 1315-39-A—211 Legion street, east side, 275 ft. south of Blake avenue (Block No. 3553, Lot No. 11), Borough of Brooklyn.
- 1349-39-A—346 Ocean parkway, west side, 40 ft. south of Avenue "C" (Block No. 5374, Lot No. 12), Borough of Brooklyn.

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1325-39-A—2277-2281 Ocean parkway, east side, 120 ft. north of Avenue "W" (Block No. 7158, Lot No. 60), Borough of Brooklyn.

1386-39-A—438-446 Ocean parkway, west side, 180 ft. south of Cortelyou road (Block No. 5389, Lot Nos. 19-21), Borough of Brooklyn.

1333-39-A—801 East 134th street, north side, 150 ft. east of Willow avenue (Block No. 2586, Lot No. 12), Borough of The Bronx.

1365-39-A—31-07 Borden avenue and east side of 31st (Mount) street, 337 ft. north of Borden avenue (Block No. 289, Lot Nos. 1 and 16), Long Island City, Borough of Queens.

1336-39-A—69-78, 69-82 and 69-86 182nd street, northwest corner of 73rd avenue and west side of 182nd street, 50.1 ft. and 90 ft. north of 73rd avenue (Block No. 7134, Lot No. 6), Flushing, Borough of Queens.

1337-39-A—69-77, 69-81 and 69-85 182nd street, northeast corner of 73rd avenue and east side of 182nd street, 50.96 ft. and 90.96 ft. north of 73rd avenue (Block No. 7135, Lot No. 1), Flushing, Borough of Queens.

1381-39-A—1620 Centre street, south side, 175 ft. east of Wyckoff avenue (Block No. 3551, Lot No. 18), Ridgewood, Borough of Queens.

1387-39-A—165-18 Highland avenue, south side, 110 ft. east of 165th street (Block No. 9837, Lot No. 80), Jamaica, Borough of Queens.

1388-39-A—35-43 84th street, east side, 100 ft. north of 37th avenue (Block No. 1458, Lot No. 46), Jackson Heights, Borough of Queens.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1005-39-A—22-71 33rd street, east side, 76 ft. 2 $\frac{3}{8}$ in. north of 23rd avenue and 33-09 23rd avenue (Block No. 832, Lot No. 2), Astoria, Borough of Queens.

Variation of the Labor Law

1399-39-S—31-07 Borden avenue and east side of 31st (Mount) street, 337 ft. north of Borden avenue (Block No. 289, Lot Nos. 1 and 16), Long Island City, Borough of Queens.

NOVEMBER 28, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 28, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 742-38-BZ—Application, August 25, 1938, under section 21 of the building zone resolution of George Goodstein, applicant on behalf of Leon W. McKeon, owner, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment, dwelling and two (2) car garage; premises 3129 Perry avenue, west side, 110 ft. north of 204th street (Block No. 3341, Lot Nos. 26 and 27), Borough of The Bronx.

CAL. NO. 763-39-BZ—Application, June 9, 1939, under section 7a of the building zone resolution,

of Frank E. Wall, applicant on behalf of J. W. Schneider, owner, to permit in a business use district, the extension of an existing gasoline service station and also the erection of a new accessory building; premises 22-24 Jewett avenue, west side, 92.57 ft. south of Bennett street (Block No. 1012, Lot No. 84), Port Richmond, Borough of Richmond.

CAL. NO. 856-39-BZ—Application, June 26, 1939, under sections 7a and 21 of the building zone resolution, of Frank E. Wall, applicant, on behalf of Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station; premises 823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

CAL. NO. 904-39-BZ—Application, July 5, 1939, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Julia V. Delany, owner, to permit in a residence use district the extension of an existing garage for more than five (5) motor vehicles, said garage is located on the same street between two (2) intersecting streets as a school; premises 595-597 Quincy street, north side, 200 ft. east of Lewis avenue (Block No. 1625, Lot No. 73), Borough of Brooklyn.

CAL. NO. 1142-39-BZ—Application, September 19, 1939, under section 21 of the building zone resolution, of Joel D. Marder, applicant, on behalf of Manhattan Storage and Warehouse, owner, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 140-146 West 53rd street, south side, 225 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 53-55), Borough of Manhattan.

CAL. NO. 1153-39-BZ—Application, September 20, 1939, under sections 7c and 21 of the building zone resolution, of Edgar J. Moeller, applicant, on behalf of Remsenburg Realty Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store); premises 1522-1526 Kings Highway, southwest corner of East 16th street (Block No. 6798, part of Lot No. 42), Borough of Brooklyn.

CAL. NO. 766-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Oliver Reagan, applicant, on behalf of Estate of Erskine Hewitt, owner (Norvin H. Green, executor), to permit in a residence use district, the alteration and change of occupancy of an existing building (private stable and dwelling) to office use and dwelling; premises 144 East 39th street, south

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side, 197 ft. east of Lexington avenue (Block No. 894, Lot No. 56), Borough of Manhattan.

CAL. NO. 1313-39-BZ—Application, October 25, 1939, under sections 7a and 21 of the building zone resolution, of Aymar Embury II, applicant, on behalf of Queens County Jockey Club, owner, to permit in a residence use district, the erection of two (2) buildings, the alteration and extension in area of two (2) buildings and the relocation of three (3) buildings existing on the premises. Each of the five (5) buildings involved, to be used as stables for more than five (5) horses as accessories to the Jockey Club (Race Track) on the premises; premises north side of North Conduit avenue between 135th and 150th avenues (Block No. 2317, Lot No. 1, Block No. 2318, Lot No. 2, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens.

Appeal from Administrative Decision

1314-39-A—North side of North Conduit avenue, between 135th avenue and 150th avenue (Block No. 2317, Lot No. 1, Block No. 2318, Lot No. 1, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens (Under Section 35, General City Law re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 28, 1939, 2 P. M.

Appeals from Administrative Decisions

1041-39-A—Southeast corner of Twiggs place and Fifth street (Block No. 5517, Lot No. 101), Park of Edgewater, Borough of The Bronx (Under Section 35, General City Law re: Bed of Mapped Street).

1288-39-A—Pequot road and 88th street, 851.49 ft. west of west side of 88th street and 617.42 ft. south of Cooper avenue (Block No. 3810, Lot No. 275), Glendale, Borough of Queens (Under Section 36, General City Law).

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law).

1360-39-A—24-38 Columbia street, southwest corner of Pacific street (Pier No. 23); (Block No. 287, part of Lot No. 68), Borough of Brooklyn.

1323-39-A—257 13th street, north side, 97 ft. 10½ in. west of Fifth avenue (Block No. 1028, Lot No. 49), Borough of Brooklyn.

1361-39-A—1245 84th street, north side, 320 ft. west of 13th avenue (Block No. 6308, Lot No. 60), Borough of Brooklyn.

1363-39-A—936 Lenox road, south side, 60 ft. east of East 56th street (Block No. 4662, Lot No. 4), Borough of Brooklyn.

1364-39-A—938 Lenox road, south side, 80 ft. east of East 56th street (Block No. 4662, Lot No. 5), Borough of Brooklyn.

1409-39-A—2142-2152 Nostrand avenue, southwest corner of Flatbush avenue (Block No. 7557, Lot No. 130), Borough of Brooklyn.

1413-39-A—880 Zerega avenue, east side, 236.15 ft. south of Quimby avenue (Block No. 3702, Lot No. 101), Borough of The Bronx.

1368-39-A-WF—112-36 to 112-44 Roosevelt avenue, south side, 100 ft. west of 114th street (Block No. 2013, Lot Nos. 32 to 35, inclusive), Corona, Borough of Queens.

1037-39-A—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

1254-39-A—67-46 to 67-52 Myrtle avenue and 302-306 68th street, southwest corner (Block No. 3702, Lot No. 25), Glendale, Borough of Queens.

1253-39-A—159-01 Hillside avenue, northeast corner of Parsons boulevard (Block No. 342, Lot No. 1), Jamaica, Borough of Queens.

Variation of the Labor Law

1438-39-S—18-20 East 50th street, south side, 70 ft. west of Madison avenue (Block No. 1285, Lot No. 59), Borough of Manhattan.

DECEMBER 5, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 5, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 310-39-BZ—Application, March 13, 1939, under sections 7h and 21 of the building zone resolution, of Alexander Ketterson, applicant, on behalf of Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

CAL. NO. 657-39-BZ—Application, May 19, 1939, under sections 7c and 21 of the building zone resolution, of Frank Verdi, applicant, on behalf of Henry A. Thelluson, Receiver (George and F. J. Verdi, lessees), to permit in a residence use district and, also, on a street between two (2) intersecting streets in which portion there exists an exit and an entrance to a public school, the conversion of

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occupancy of a building to a garage for more than five (5) motor vehicles; premises 353-355 West 48th street, north side, 204 ft. east of Ninth avenue (Block No. 1039, Lot No. 9), Borough of Manhattan.

CAL. NO. 1054-39-BZ—Application, August 18, 1939, under section 7a of the building zone resolution, of Richard Shutkind, applicant, on behalf of 318 West 47th Street Corporation, owner, to permit in a residence use district, the extension of an existing business use; premises 318 West 47th street, south side, 275 ft. west of Eighth avenue (Block No. 1037, Lot No. 44), Borough of Manhattan.

CAL. NO. 668-39-BZ—Application, June 27, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Irving Palmer, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 3826-3830 Kings Highway and 1241-1245 Ryder street, southeast corner (Block No. 7817, Lot No. 34), Borough of Brooklyn.

CAL. NO. 326-36-BZ—Application of Interborough Engineering Company, applicant, on behalf of Giuseppe Montemorano, owner, reopened June 27, 1939 under new facts, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied); premises 961-965 Fourth avenue and 402-412 37th street, southeast corner (Block No. 701, Lot No. 8), Borough of Brooklyn.

CAL. NO. 597-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Inc., owner, to permit in a business use district, the alteration and extension of an existing gasoline service station; premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block No. 9751, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 724-39-BZ—Application, May 31, 1939, under section 7c of the building zone resolution, of Joseph P. Powers, applicant, on behalf of Buona Terra Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores); premises 148-42 Hillside avenue, south side, 224.5 ft. west of 150th street (Block No. 9694, Lot No. 23), Jamaica, Borough of Queens.

CAL. NO. 929-39-BZ—Application, July 11, 1939, under sections 7a and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Oliver S. Chatfield, owner, to permit in a business use

district, the alteration of an existing garage and gasoline service station and the increase in area of the gasoline station by the relocation of the front wall of the garage; premises 97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

CAL. NO. 295-39-BZ—Application, March 8, 1939, under sections 7b, 7c and 21 of the building zone resolution, of Louis Danancher, applicant, on behalf of Morris Manes, owner, to permit partly in a business use district and partly in a residence use district, the maintenance of an extension to a business building; premises 113-19 Jamaica avenue, north side, 25 ft. west of 114th street (Block No. 4227, Lot No. 77), Richmond Hill, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 5, 1939, 2 P. M.

Appeals from Administrative Decisions

1306-39-A—623 Beach 19th street, west side, 347 ft. south of Cornaga avenue and 702 Beach 20th street (Block No. 84, Lot No. 1 and Block No. 85, Lot No. 34), Far Rockaway, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1355-39-A—485 Madison avenue and 28-36 East 52nd street, southeast corner (Block No. 1287, Lot No. 52), Borough of Manhattan.

1451-39-A—148-150 West 53rd street, south side, 191.75 ft. east of Seventh avenue (Block No. 1005, part of Lot No. 53), Borough of Manhattan.

1342-39-A—30-80 Steinway street, west side, 182.66 ft. north of Jamaica avenue (Block No. 660, Lot No. 82), Astoria, Borough of Queens.

1466-39-A—19-80 Steinway street, northwest corner of 20th avenue (Block No. 811, part of Lot No. 1), Long Island City, Borough of Queens.

DECEMBER 12, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 12, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue and 209-211 East 44th street and rear yards of 203-207 East

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44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 244-39-BZ—Application of John J. Beatty, applicant, on behalf of Harlem Savings Bank, owner, reopened under new facts October 24, 1939, under section 21 of the building zone resolution, to permit in a restricted retail use district, the alteration and conversion of occupancy of part of an existing building to a motion picture theatre (previously denied); premises 163-165 West 57th street, north side, 104 ft. 2 in. east of Seventh avenue (Block No. 1010, Lot No. 5), Borough of Manhattan.

CAL. NO. 562-39-BZ—Application, May 3, 1939, under section 7h of the building zone resolution, of Tendwell Service Station Corporation, applicant and lessee, on behalf of New York State Realty and Terminal Co., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 5-15 West 125th street, north side, 110 ft. west of Fifth avenue and 6-14 West 126th street (Block No. 1723, Lot No. 31), Borough of Manhattan.

CAL. NO. 691-39-BZ—Application, May 23, 1939, under section 7a of the building zone resolution, of Thomas M. Bell, applicant, on behalf of Gainsborough Studios, Inc., owner, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the street; premises 222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

CAL. NO. 459-39-BZ—Application, April 12, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicant, on behalf of Leon K. Rockmore, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn.

CAL. NO. 951-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Emil Koeppel, applicant, on behalf of Madeline Hecht, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn.

CAL. NO. 1022-39-BZ—Application, August 4, 1939, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels,

applicants, on behalf of Matilda Tais-hoff, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 47-13 to 47-21 Kissena boulevard and 140-01 to 140-07 Mulberry court, northeast corner (Block No. 5216, Lot No. 41), Flushing, Borough of Queens.

CAL. NO. 746-39-BZ—Application, June 7, 1939, under sections 7c, 7f and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Brooklyn Development Company, owner (George E. Weidner, lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a golf driving range and accessory club house; premises 2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

Appeal from Administrative Decision

894-39-A—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn (Under Section 35, General City Law, Re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 19, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 19, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1113-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frieda D. Waters, applicant and owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 1913-1929 Bay avenue, north side, 106 ft. 3½ in. east of East 19th street (Block No. 6748, Lot No. 97 and part of Lot No. 92), Borough of Brooklyn.

CAL. NO. 1121-39-BZ—Application, September 8, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue (Block No.

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4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn.

CAL. NO. 1260-39-BZ—Application, October 13, 1939, under section 7c of the building zone resolution, of Thomas J. Curran, applicant, on behalf of South Brooklyn Savings Bank, owner, to permit the extension of a proposed bank building from a business use into a residence use district; premises 6422-6424 18th avenue and 1771-1775 65th street, northwest corner (Block No. 5546, Lot Nos. 50, 53, 57 and 58), Borough of Brooklyn.

CAL. NO. 186-37-BZ—Application of William Shary, applicant, on behalf of Aaron Rabinowitz, James L. Clare and Lawrence N. Martin, as trustees of Series F-1, owner (Reuben Nathan, lessee), reopened under new proposal June 27, 1939, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously denied re parking of more than five (5) motor vehicles); premises 709-719 Westchester avenue, 721-725 Forest avenue, northwest corner and 712-724 Jackson avenue (Block No. 2645, Lot No. 5), Borough of The Bronx.

CAL. NO. 1194-39-BZ—Application, September 28, 1939, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district, the erection and maintenance of a laundry which is accessory to a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx.

CAL. NO. 1189-39-BZ—Application, September 27, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William Jacobia and Albert Jacobia, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 136-05 32nd avenue and 31-51 Linden place, northeast corner (Block No. 4409, Lot No. 1), Flushing, Borough of Queens.

CAL. NO. 637-39-BZ—Application, May 17, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Shell Oil Co., Inc., owner, to permit in a business use district, the extension of an existing gasoline service station; premises 63-56 Austin street and 91-39 63rd drive, southwest corner (Block No. 3103 (1897), Lot No. 43), Rego Park, Borough of Queens.

CAL. NO. 767-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Judson E. Schnall, applicant, on behalf of Estate of Benjamin Anchell and

Philip Levison, owners (Thomas Kaltenbach, lessee), to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

CAL. NO. 181-39-BZ—Application, February 14, 1939, of Joshua Hochstein, applicant, on behalf of Frances Landa and Fannie Hochstein, owners, reopened and restored to calendar October 10, 1939, under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop, machine shop and garage for more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 45-37 to 45-55 50th (Fitting) street, east side, 400 ft. south of Queens boulevard (Block No. 2283, Lot No. 1), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1940, 2 P. M.

Appeals from Administrative Decisions

1369-39-A—70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1488-39-A—213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft. and 302.27 ft. east of Bell boulevard (Block No. 6116, part of Lot No. 20 and Block No. 6118, part of Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

JANUARY 30, 1940, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto-laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, NOVEMBER 8, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

103-31-BZ.

APPLICANT—Lama and Proskauer, for Aljac Garage and Repair Shop, Inc., owner.

SUBJECT—Application reopened February 28, 1939 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station (previously granted by the board re garage for more than five (5) motor vehicles).

PREMISES AFFECTED — 124-17 Metropolitan avenue, north side, 20.68 ft. east of 124th place (Block No. 9243, Lot Nos. 185, 189 and 218), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Margaret Fitzgibbons, Louis Salmon, Edward Fitzgibbons, Margaret Mulcahey, F. M. Meyer and others.

ACTION OF BOARD—Laid over to November 14, 1939, at 10 a.m., for further consideration by the board.

295-39-BZ.

APPLICANT — Louis Danancher, for Morris Manes, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7b, 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the maintenance of an extension to a business building.

PREMISES AFFECTED—113-19 Jamaica avenue, north side, 25 ft. west of 114th street (Block No. 4227, Lot No. 77), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Louis Danancher.

For Opposition: None.

ACTION OF BOARD—Laid over to December 5, 1939, at 10 a.m. Applicant to notify by registered mail, property owners in the affected area.

766-39-BZ.

APPLICANT — Oliver Reagan, for Estate of Erskine, Hewitt, owner (Norvin H. Green, executor).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the alteration and change of occupancy of an existing building (private stable and dwelling) to office use and dwelling.

PREMISES AFFECTED—144 East 39th street, south side, 197 ft. east of Lexington avenue (Block No. 894, Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Applicant: F. X. Hennessey.

For Opposition: John P. Fox.

ACTION OF BOARD—Laid over to November 28, 1939, at 10 a.m., on request of applicant's representative.

836-39-BZ.

APPLICANT—Isidore Wolsk, for Gotham Equities Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a busi-

ness use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1793-1799 Eastern parkway, north side, 68.4 ft. west of Dean street and 2348-2354 Dean street (Block No. 1449, Lot Nos. 19 and 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Isidore Wolsk.

For Opposition: None.

ACTION OF BOARD—Laid over to November 21, 1939, at 10 a.m., on request of applicant. No further adjournment.

1093-39-BZ.

APPLICANT — Lockwood Greene Engineers, Inc., for News Syndicate Co., Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in an unrestricted use district and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building; said extension not conforming with the "B" area requirements of the building zone resolution.

PREMISES AFFECTED—684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: F. M. Flynn, Russell V. Banta and Joseph Wilks.

For Opposition: Karl G. Edlund, John J. Cooke, V. H. Jacobson, Anna J. Kennedy, Catherine Baus, Louis F. Rebari, O. P. Carroll, Mrs. E. C. Egan and others.

ACTION OF BOARD—Laid over to November 21, 1939, at 10 a.m., for further consideration by the board. Applicant to submit revised plans.

703-38-BZ.

APPLICANT—Alice M. Johnston, for J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 449-451 Westchester avenue, north side, 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9), Borough of The Bronx.

APPEARANCES—

For Applicant: Hoch Reid.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4 0

THE RESOLUTION—

(703-38-BZ)

WHEREAS, Alice M. Johnston, for J. Clarence Davies, Inc., Henry L. Phillips and August Kuhn, owners, filed August 8, 1938, an application under section 7H of the building zone resolution, to permit in a business use district, for a temporary period of not more than two years the parking and storage of more than five (5) motor vehicles; premises: 449-451 Westchester avenue, northside 94 ft. east of Bergen avenue (Block No. 2361, Lot Nos. 8 and 9, Borough of the Bronx; and

WHEREAS, a public hearing was held on this application

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by the Board of Standards and Appeals at its regular meeting, November 8, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Westchester avenue is in a business use district; Bergen avenue, East 152nd street and Brook avenue are in unrestricted and business use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated August 5, 1938, reads:

"Your application for a certificate of occupancy to occupy the above premises for the storage or parking of more than five motor vehicles, is hereby denied as these premises are located in a business use district and the proposed occupancy is contrary to Section 4 of Article 2 of the amended Building Zone Resolution."

and
WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. and a maximum depth of 82 ft. Upon the plot are located a small office and an open shed 33 ft. by 15 ft. 10 in. in area. It is proposed to occupy the plot for a temporary period of not more than two (2) years for the parking and storage of more than 5 motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant under section 7-h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulation of the building zone resolution and that the application be and it hereby is *granted* under section 7-h thereof for a period of two years from the date of this resolution, to permit the premises to be occupied for the transient parking of more than five (5) motor vehicles, *on condition* that only those of the pleasure-car type shall be so parked; that the premises shall be leveled substantially to the grade of Westchester avenue and any existing structures shall be entirely removed therefrom; that the plot shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that on the interior lot lines where walls of adjoining buildings do not occur, there shall be erected a substantial woven wire fence not less than 6 feet in height; that a similar fence shall be erected along the building line of Westchester avenue, except for one entrance toward the center of the plot, not exceeding a width of 15 feet with curb cut opposite of similar width; that during the term of this variance, the premises shall be used for no other use and no building may be erected thereon except that there may be a building not over one story in height and not over 150 sq. ft. in area, and which may be of frame, as an office and shelter for the attendant; that proper aisles shall be maintained at all times for easy ingress and egress; that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; that signs shall be restricted to one sign not over 15 sq. ft. in area, attached to the fence, advertising the transient parking use; that such sign shall not extend beyond the building line; that all permits required shall be obtained and all work involved, shall be completed within three months from the date of this resolution.

59-39-BZ.

APPLICANT — A. L. Marinelli, for Joseph Di Blasi, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—113-01 Northern boulevard, northeast corner of 112th place (Block No. 1707, Lot No. 38), Corona, Borough of Queens.

APPEARANCES—

For Applicant: W. J. Di Donato, Thomas F. O'Sullivan and Joseph Di Blasi.

For Opposition: Harold Klorfein, dept. of parks.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

THE RESOLUTION—

(59-39-BZ)

WHEREAS, A. L. Marinelli, for Joseph Di Blasi, owner, filed January 16, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station; premises: 113-01 Northern boulevard, northeast corner of 112th place (Block No. 1707, Lot No. 38), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 8, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard, Astoria boulevard and 112th place are in business use districts; 112th and 113th streets are in business and residence use districts; and

WHEREAS, the decision of the Borough Superintendent dated December 29, 1938, Alt. Application No. 9815-1938, as amended April 28, 1939, reads:

"1. The erection of a gasoline selling station in a business use district is contrary to the provisions of Article 2, Sec. 4 Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. on Northern boulevard, 97 ft. on 112th place and a distance of 93 ft. along the easterly lot line. Upon the plot there is located a one story, non-fire-proof building, 55 ft. by 74 ft. 6 in. in area and occupied as an automobile salesroom; this building set back 5 ft. from the 112th place building line and approximately 20 ft. from the Northern boulevard street line. It is proposed to erect upon the vacant portion of the Northern boulevard frontage of the plot, the necessary tanks and pumps for a gasoline service station having a frontage of 60 ft. along Northern boulevard and 21 ft. along 112th place; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 9816-38, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

585-39-BZ.

APPLICANT—Vincent Schiliro, for Mary Schnappauf, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a building to be used as a garage (not accessory to the dwelling on the same lot) and also, for the storage of bottled beverages.

PREMISES AFFECTED—70-20 72nd street, west side, 250 ft. north of Central avenue (Block No. 3663, Lot Nos. 18 and 19), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Vincent Schiliro.

For Opposition: None.

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ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(585-39-BZ)

WHEREAS, Vincent Schiliro, for Mary Schnappauf, owner, filed May 8, 1939, an application under sections 7A and 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a building to be used as a garage (not accessory to the dwelling on the same lot) and also for the storage of bottled beverages; premises: 70-20—72nd street, west side, 250 ft. north of Central avenue (Block No. 3663, Lot Nos. 18 and 19), Glendale, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 8, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 72nd street, 72nd place and Edsall place are in residence and business use districts and Central avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, NB Applic. No. 2047-39, dated May 5, 1939, reads:

"1. The erection of a private garage in a residence district not accessory to a dwelling on the same lot is contrary to Sec. 3 of the Zone Law.

2. The erection of a building for the storage of bottled soft drinks in a residence district is contrary to Sec. 3 of the Zone Law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 100 ft. Upon the northerly front of the plot there is located a brick dwelling for two (2) families. Upon the northerly rear of the plot there is located a one story garage for four (4) motor vehicles. It is proposed to erect an extension 20 ft. by 25 ft. in area to store an additional motor vehicle and for the storage of bottled soft drinks; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to grant a variation under the provisions of Section 7-C of the building zone resolution for a period of five years.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 7-C thereof for a period of five years from the date of this resolution, to permit the proposed extension to an existing 4-car private garage in the location and of the height and area as indicated on plans filed herein and to permit such private garage to be used for the storage of one truck owned by the owner of the premises and used in conjunction with the distribution of bottled soft drinks; that in all other respects the zone law and all other laws, rules and regulations shall be complied with; that no signs shall be erected on the premises; that all permits required shall be obtained and all work involved, shall be completed within one year from the date of this resolution.

794-39-BZ.

APPLICANT—Meyers, Murray and Phillip, for Seaman's Bank for Savings, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of an electrically illuminated sign.

PREMISES AFFECTED—314 West 49th street, south side, 250 ft. west of Eighth avenue and 319-335 West 48th street (Block No. 1039, Lot Nos. 43 and 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Hardie Phillips, Julius Eckman, Charles B. Plumm and Wayne Soverus.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(794-39-BZ)

WHEREAS, Meyers, Murray and Phillip, for Seamen's Bank for Savings, owner, filed July 11, 1939, an application under the building zone resolution, to permit in a residence use district, the erection and maintenance of an electrically illuminated sign; premises: 314 West 49th street, south side, 250 ft. west of Eighth avenue and 319 West 48th street (Block No. 1039, Lot Nos. 43 and 17), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 8, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 48th and West 49th streets are each in residence and retail use districts; Eighth and Ninth avenues are in a retail use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, Sign Applic. No. 811-39, 812-39 and 813-39, dated June 5, 1939, reads:

"This is to advise you that Sign Applications for signs to be erected at the above premises have been disapproved as the building is located in a Residential district where such things (signs) are prohibited."

and

WHEREAS, the existing building is of fireproof construction, 16 stories in height on West 48th street and one story on West 49th street with a frontage of 162 ft. on West 48th street and 50 ft. on West 49th Street; and

WHEREAS, this application refers to signs on the West 49th street facade of the existing hotel. On the street wall of the building there is a sign "HOTEL BELVEDERE"; it is proposed to illuminate these letters and also to erect upon the top of the existing marquee, a sign forming the word "HOTEL" in 14 inch high illuminated letters; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion and grant under Section 7-C of the building zone resolution.

Resolved that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 7-C thereof, to permit the signs as proposed, *on condition* that no other signs than those shown herein on revised plans marked "Received November 3, 1939" shall be erected on the 49th street portion of the premises; and *granted* only so long as the building is used as at present as a hotel; that all permits required shall be obtained and all work involved, completed within six months from the date of this resolution.

1056-39-BZ.

APPLICANT—Lawrence M. Rothman, for 511 Faile Street Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of an iron and steel works.

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PREMISES AFFECTED—East side of Faile street, 200 ft. north of Oak Point avenue (Block No. 2769, Lot Nos. 38-41), Borough of The Bronx.

APPEARANCES—

For Applicant: Lawrence M. Rothman and Louis Eschen.

For Opposition: Levan E. Styler and Anton Milhonic.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Assistant Chief Walsh 2

Negative: Chairman Murdock and Commissioner Blum 2

THE RESOLUTION—

(1056-39-BZ)

WHEREAS, Lawrence M. Rothman, for 511 Faile Street Corporation, owner, filed August 21, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of an iron and steel works; premises: East side of Faile street, 200 ft. north of Oak Point avenue (Block No. 2769, Lot No. 38-41), Borough of the Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 8, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Faile street is in a business and unrestricted use district; Bryant avenue is in an unrestricted use district; Oak Point avenue is in a business and unrestricted use district and Randall avenue is in a business and unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings on B.N. Application No. 395-1939, dated July 26, 1939, reads:

"1. It is unlawful to use a lot in a business district for an iron or steel works. Sec. 4 Building Zone Resolution. The proposed yard and derrick are to be used as an accessory to an iron works.

Application not further considered."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 175 ft. and a depth of 100 ft. There is located upon the plot a two (2) car garage and small tool storage building. It is proposed to erect upon the plot, a 3½ ton crane and to occupy the plot as an iron and steel yard; and

WHEREAS, these premises and surrounding area were inspected by a committee of the board, and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on B.N. Applic. No. 395-39, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

Adjourned: 12:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

WEDNESDAY AFTERNOON, NOVEMBER 8, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

278-24-BZ.

APPLICANT—William R. Altman, for One Jumel Place, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings) previously granted on condition, under sections 7c and 21 of the building zone resolution, permitting partly in a residence use district and partly in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 441-451 West 167th street, north side, from Jumel place to Edgecombe avenue (Block No. 2112, Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Applicant: William R. Altman.

ACTION OF BOARD—Applicant reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

480-37-BZ.

APPLICANT—Samuels and Samuels, for Wendel Foundation and Phelps Estate, Inc., owners.

SUBJECT—Application for consideration—reopening and rescindment of resolution — re Application (decision of the commissioner of buildings) under sections 7h and 7c of the building zone resolution, permitting partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED — 21-25 Union Square West, west side, 52 ft. north of East 15th street (Block No. 843, Lot Nos. 22 and 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Archie H. Samuels.

ACTION OF BOARD—Request to reopen, withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

911-39-BZ.

APPLICANT — Theodore R. Feinberg, for Stuyvesant Real Estate Co., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit the inclusion of parking and storage of more than five (5) motor vehicles on a gasoline service station (already existing).

PREMISES AFFECTED—446-470 West 33rd street and 396-402 Tenth avenue, southeast corner (Block No. 730, Lot Nos. 74-83 and 85-89), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

1024-27-BZ.

APPLICANT—Herman Kron, for La Salle Garage, Inc., owner.

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SUBJECT—Application reopened October 17, 1939, re amendment of resolution (decision of the borough superintendent of buildings)—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1650-1664 Jerome avenue and 1-9 East 174th street, northeast corner (Block No. 2848, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1024-27-BZ)

WHEREAS, I. L. Crausman, for 174th Street and Jerome Avenue Realty Corp., owner, filed, September 19, 1927, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five motor vehicles; premises 1650-1664 Jerome avenue and 1-9 East 174th street, northeast corner (Block No. 2848, Lot No. 1), Borough of The Bronx; and

WHEREAS, this application was granted by the Board under certain conditions March 13, 1928 and owner requested an amendment of the resolution; and

WHEREAS, the application was reopened by vote of the Board, on October 17, 1939; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals at its regular meeting, November 8, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the resolution adopted by the Board on March 13, 1928, be and it hereby is *amended*, so that as amended it shall read:

“Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the building shall not exceed one story in height above the Jerome avenue grade; that the rear, gable and 174th street walls shall not be less than 12 in. in thickness; that the rear and gable walls shall be unpierced throughout their entire height and length; that there shall be no vehicular opening of any nature or description on the 174th street front; that there shall be no vehicular opening on the Jerome avenue front within 20 ft. of the corner of 174th street; on 174th street side there shall be provided a doorway for emergency exit at the extreme easterly end of the property, not more than 3 ft. 8 in. in width; that the sills of any windows incorporated on the 174th street side shall be not less than 5 ft. 6 in. above grade level; that the roof shall be of flat design and construction, any skylights incorporated therein shall be not less than 25 ft. from the wall of the easterly property line and shall be provided with wire guards above and below; that there shall be no sign of any nature or description erected, exposed or displayed on the 174th street front; any advertising on the Jerome avenue front shall be restricted to a flat wall sign and one electric projecting sign, indicating the name and title of the business conducted on the premises; that the exterior of the building on 174th street and Jerome avenue shall be finished with light-colored face brick, openings to be trimmed with brick of a tone different in color from that of the field wall; that the walls of the street front shall be finished with coping of archi-

tectural terra cotta or natural stone; that no gasoline storage equipment shall be installed within 75 ft. of the 174th street front.

Resolved further, that in the event the owner desires to construct a store for conforming use as automobile showroom or restaurant, at the corner of Jerome avenue and East 174th street, substantially as indicated on plans marked ‘Received October 10, 1939,’ including the construction of show window where shown on 174th street, such use may be permitted, *on condition* that in all other respects the resolution adopted by the Board as to the garage use shall be complied with.”

737-39-BZ.

APPLICANT—Murray Klein, for Hein-Nolan Realty Co. Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—91-125 Bayard street and 441-463 Manhattan avenue, northwest corner (Block No. 2718, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Murray Klein.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(737-39-BZ)

WHEREAS, Murray Klein, for Hein-Nolan Realty Co. Inc., owner, filed June 3, 1939, an application under section 7H to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 91-125 Bayard street and 441-463 Manhattan avenue, northwest corner (Block No. 2718, Lot No. 14), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, November 8, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bayard street is in a business use district; Manhattan avenue is in unrestricted and business use district and Leonard street is in a business and residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, No. 1360-1939, dated June 2, 1939, reads:

“Proposed storage and parking of more than 5 motor vehicles in a business use district is contrary to Art. 2, Section 4, Paragraph 15 of Building Zone Resolution. Therefore application is denied.”

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 79 ft. on Newton street, 200 ft. on Manhattan avenue and 298 ft. on Bayard street. It is proposed to use the plot for a temporary period of two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that

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the application be and it hereby is *granted* under section 7h, to permit that portion of the premises at the corner of Bayard street and Manhattan avenue, as indicated on revised plans filed, marked "Received November 6, 1939", to be occupied for parking and storage of more than five (5) motor vehicles for a term of two (2) years from the date of this resolution, *on condition* that the existing wooden fence shall be entirely removed and that there shall be erected on the street building line and on interior lines, where indicated, a substantial woven wire fence not less than 6 ft. in height; that this fence shall be not nearer at any point than 10 ft. to any shed now existing on the balance of the premises; that the plot shall be levelled substantially to the grade of the surrounding streets and surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that only automobiles of the pleasure car type shall be so stored or parked; that aisles shall be maintained at all times for easy entrance and egress; that entrances to the premises shall not exceed two (2) from Manhattan avenue and two (2) from Bayard street, no entrance exceeding 10 ft. in width and opposite existing curb cuts of similar width; that during the term of this variance, this portion of the plot shall be used for no other use than as herein permitted; that no buildings may be erected thereon, except that there may be erected a building, not over one (1) story in height and not exceeding 150 sq. ft., and which may be of frame, as an office and shelter for the attendant; that no signs shall be erected, except that there may be a sign not exceeding five square feet, at each entrance, attached to the fence and not extending beyond the building line, advertising only the parking and storage use; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

624-26-BZ.

APPLICANT—Apa Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7f of the building zone resolution, permitting in a business use district, the maintenance of a gasoline service station(erected under a temporary variation granted by the board for a temporary period).

PREMISES AFFECTED—Southwest corner of Kissena boulevard (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Anna Reinhardt.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(624-26-BZ)

WHEREAS, this application affecting premises southwest corner of Kissena boulevard (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens, to permit in a business use district, the maintenance of a gasoline service station for a temporary period of two (2) years, was granted by the board November 18, 1932, resolution amended May 7, 1935, December 8, 1936, and November 15, 1938; and

WHEREAS, the applicant requested a reopening of the case and an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on November 18, 1932, as amended by resolution adopted by the board on November 15, 1938 and May 2, 1939, as to the temporary term of permit, so that as amended, the resolution shall read:

"Granted, under section 7, subdivision f, for temporary period of six (6) months from the date of the amended resolution, on condition that all pumps shall be set back not less than 10 ft. from the building lines; any accessory use to the business conducted on the premises shall be confined to one-story structures; that there shall be but two entrances to the gasoline station on Nassau boulevard and two entrances on Reeves avenue, each not more than 12 ft. wide, with curb cuts not more than 14 ft. wide each; there shall be but one entrance on Kissena boulevard, not more than 12 ft. wide, with curb cut not more than 14 ft. wide; that no part of the gasoline station or the equipment or fence enclosing same shall extend beyond the area of the plot under appeal to include any adjacent property; that other than as amended herein, the resolutions adopted by the board on November 18, 1932 and May 7, 1935, shall be complied with in all respects."

492-27-BZ.

APPLICANT — Interborough Engineering Company, for Max's Gas Stations, Inc., present owner.

SUBJECT—Application for consideration—reopening and amendment—re decision of the borough superintendent of buildings — re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1134-1144 East New York avenue, southwest of East 98th street (south side of East New York avenue, 111.10 $\frac{5}{8}$ ft. east of Rockaway parkway); (Block No. 4600, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. Berotto.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(492-27-BZ)

WHEREAS, this application, affecting premises 1134-1144 East New York avenue, southwest corner of East 98th street (Block No. 4600, Lot No. 7), Borough of Brooklyn, was granted by the board at its meeting February 28, 1933, on certain conditions, resolution amended May 31, 1933 and September 15, 1936, and applicant requested a further amendment.

Resolved, that the resolution adopted February 28, 1933 as amended September 15, 1936, be and it hereby is *amended* to read as follows: *granted on condition* that there shall be erected along the street lines of the property other than at entrances as herein permitted, a concrete curbing at least 12 in. wide and at least 5 inches in height with rounded top; that there may be not over two entrances to East 98th street and not over two entrances to East New York avenue, each not exceeding 30 ft. in width; no portion of any opening to be nearer than 5 ft. to the corner formed by the intersection of the two streets and no portion of any opening nearer to another than 5 ft.; that the curb cuts opposite openings shall not exceed 35 ft. in width each; that there shall be a total of not over four twin pumps and none nearer than 10 ft. from the building line; that there shall be no portable gasoline pumps used on the property or for servicing cars at the curb; that all advertising shall be confined to the globes of the pumps and to permanent signs placed against the existing accessory buildings, prohibiting all temporary signs of every nature and all roof signs but permitting the erection of not more than two post standards within the building line for the support of signs which

MINUTES

may be illuminated, advertising only the brand of gasoline on sale, provided such signs do not extend beyond the building line for a distance of more than 5 ft.; that any other accessory buildings that may be built shall be of fireproof construction, not over one story in height, harmonizing with the existing accessory buildings, and erected along the interior of property lines of the plot; that there shall be a brick wall constructed on the interior lot line and constructed of face brick to match that on the present accessory buildings between this property and the next property adjoining on East New York avenue; that this wall shall be not less than 8 ft. in height and unpierced and properly coped with stone or terra cotta and may be racked back at the rate of 1 ft. in 4 ft. for a distance of 10 ft. from East New York avenue, starting with the wall not less than 4 ft. in height at that point; that there shall be no open flame permitted on the site; that there shall be no additional excavations other than those existing under the present grease pits and under the present office, that the existing cellar excavation under the office shall be cut off from all other parts of the property with fireproof walls and with the ceiling fire-retarded in accordance with the rules of the Board of Standards and Appeals and the cellar enterable only from the exterior and used only for the heating system and for no other use; that all permits shall be obtained within three months and work completed within six months from the date of this amended resolution.

Resolved further, that in the event the owner desires to install four (4) additional 550 gallon approved gasoline storage tanks, located substantially as indicated on plans filed marked "Received October 30 1939", making a total of seven (7) storage tanks on the premises, such installation may be made, provided in all other respects the resolution adopted by the Board is complied with.

46-28-BZ.

APPLICANT—Kesbec, Inc., for 3625 Bainbridge Avenue Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the superintendent of buildings) under section 7e of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles and, also, the omission of the rear yard at the 2nd story, as required by the building zone resolution.

PREMISES AFFECTED—3633 Bainbridge avenue, west side, 295.31 ft. north of East 213th street (Block No. 3329, Lot No. 120), Borough of The Bronx.

APPEARANCES—

For Applicant: Walter A. Rolleston.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

THE RESOLUTION—

(46-28-BZ)

WHEREAS, John J. Dunnigan, for John Bahrenburg, owner, filed January 18, 1928, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five motor vehicles and, also, the omission of the rear yard at the second story as required by the building zone resolution; premises: 3633 Bainbridge avenue, west side, 295.31 ft. north of East 213th street (Block No. 3329, Lot No. 120), Borough of The Bronx; and

WHEREAS, this application was granted by the board on certain conditions, June 19, 1928, time extended September 24, 1929, resolution amended June 7, 1938, and owner requested an extension of time to obtain permit and

complete work as to signs.

Resolved, that the resolution adopted by the board on June 7, 1938, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completing the work as to signs, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within three (3) months from the date of this amended resolution."

308-33-BZ.

APPLICANT—Slee and Bryson, for Alice Fadool, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence use district, the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use (previously denied by the board).

PREMISES AFFECTED—195 Prospect Park West, northwest corner of 15th street (Block No. 1103, Lot No. 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. Elmer Blomberg and Paul Friedman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(308-33-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a residence use district, the alteration and change of occupancy of part of the first story of an existing apartment house, from dwelling to business use, affecting premises: 195 Prospect Park West, northwest corner of 15th street (Block 1103, Lot No. 48), Borough of Brooklyn, was denied by the Board April 3, 1934; and

WHEREAS, this application was granted by the Board May 23, 1939 on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on May 23, 1939, be and it hereby is *amended*, so that as amended, it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 21 thereof for a temporary period of five years from May 23, 1939, to permit the front portion of the apartment on the ground floor to be occupied as proposed, as a beauty parlor, *on condition* that there shall be no changes to the exterior windows; that the entrance to this space shall be entirely through the main vestibule of the building; that the space so used, shall consist of the existing front four rooms and shall be separated from the balance of the apartment; that no entrance thereto shall be constructed from the beauty parlor; that no sign shall be erected on the premises, except there may be a neat sign not over one foot square placed in one of the windows; that said sign shall not be illuminated and that all work shall be completed and all permits obtained within one year from May 23, 1939.

Resolved further, that nothing herein contained shall be deemed to interfere with the legal alteration of the balance of the building."

MINUTES

147-37-BZ.

APPLICANT—Nathan A. Goldenthal, for Mildred Klausecker, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—25-68 to 25-70 Steinway street, west side, 275 ft. north of 28th avenue (Block No. 654, Lot Nos. 91 and 92), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Nathan A. Goldenthal.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(147-37-BZ)

WHEREAS, Nathan A. Goldenthal, for Mildred Klausecker, owner, filed April 2, 1937, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 25-68 to 25-70 Steinway street, west side, 275 feet north of 28th avenue (Block No. 654, Lots Nos. 91 and 92), Long Island City, Borough of Queens; and

WHEREAS, this application was granted by the Board November 9, 1937 on certain conditions and owner requested an amendment of the resolution to extend the temporary period.

Resolved, that the resolution adopted by the Board on November 9, 1937, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended, the resolution will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h, to permit the plot under appeal to be used for the parking of more than five motor vehicles for a period of two years from the date of this *amended resolution*, on condition that only transient parking of cars shall be permitted and no storage, nor any other use of the premises, during the term of this variance; that the plot shall be surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and so graded as to provide proper surface drainage; that no advertising signs shall be permitted on the property except a small sign advertising the transient parking use; that no buildings or structures shall be erected on the plot except a small office building not over one-story in height not over 10 ft. by 15 ft. in area, for use as office and for the attendant; that any lights erected for general illumination shall be so arranged as to reflect away from the adjoining occupancies; that on the interior lot lines where walls of adjoining buildings do not occur, suitable fences shall be erected; that a heavy woven wire fence not less than 6 feet in height, shall be erected along the street building line, except for an entrance not exceeding 15 ft. in width with a curb cut opposite, not exceeding 15 ft. in width; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct"

461-37-BZ.

APPLICANT — Hudson Parking Corporation, for New York Life Insurance Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the bor-

ough superintendent of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 22, 23, 24 and 25 and part of Lot Nos. 20, 54, 55 and 56), Borough of Manhattan.

APPEARANCES—

For Applicant: J. J. Stone, John P. Fox and Mendes Hershman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(461-37-BZ)

WHEREAS, Manhattan Parking Corporation (lessee), for New York Life Insurance Company, owner, filed September 27, 1937, an application under the building zone resolution, to permit partly in a business use district and partly in a residence use district, for temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 20, 22, 23, 24, 25, 54, 55 and 56), Borough of Manhattan; and

WHEREAS, this application was granted by the board July 12, 1938, resolution amended October 25, 1938 and September 19, 1939, on certain conditions and owner requested a further amendment of the resolution.

Resolved, that the resolution adopted by the Board on July 12, 1938, as amended by resolution adopted by Board on October 25, 1938 and September 19, 1939, be and it hereby is *further amended*, only so far as it has to do with the required planting of shrubs toward the easterly portion of the premises, so as to defer completion of such required planting until May 1, 1940 and that a temporary certificate of occupancy may be issued by the Borough superintendent, expiring on April 30, 1940.

908-38-BZ.

APPLICANT—Lama and Proskauer for Eugene Gallagher, present owner.

SUBJECT — Application for consideration — reopening, amendment and extension of time—re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district, the extension of a gasoline service station previously denied by the board and granted under decision of the court.

PREMISES AFFECTED—110-44 to 110-56 Springfield boulevard and 216-39 to 216-49 111th avenue, northwest corner (Block No. 2038, Lot Nos. 31 and 33), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN, RESOLUTION AMENDED AND TIME EXTENDED—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(908-38-BZ)

WHEREAS, Edwin H. Snackenberg, for Benjamin Siegel,

MINUTES

owner, filed October 18, 1938, an application under the building zone resolution, to permit in a business use district the extension of a gasoline service station previously denied by the Board and granted in part under decision of the court; premises: 110-44 to 110-56 Springfield boulevard and 216-39 to 216-49 111th avenue, northwest corner (Block No. 2038, Lot Nos. 31 and 33), Queens Village, Borough of Queens; and

WHEREAS, this application was granted by the Board March 7, 1939 on certain conditions and owner requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on March 7, 1939, be and it hereby is *amended*, so that as amended, the resolution will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 of the building zone resolution, to permit the premises under appeal to be rearranged and extended to the north and south within the business use area as proposed, so as to permit the occupancy as a gasoline service station of the entire plot with a frontage of 133 ft. on Springfield boulevard and a depth of 100 ft. along 111th avenue, *on condition* that the existing accessory building shall not be increased in height or area; that there shall be a wall erected on the interior lot lines to the west and north, where the walls of the accessory buildings do not occur, this wall to be not less than 6 ft. in height, except that it may be reduced to a height of 4 ft. for a distance of 10 ft. westerly from Springfield boulevard and need not be higher than the existing wall erected in accordance with the requirements of the resolution adopted by the board applying to the adjoining premises to the north (Cal. No. 217-33-BZ), dated January 11, 1938; that a similar wall not less than 4 ft. in height shall be erected on the 111th avenue building line from the rear line easterly for a distance of not less than 50 ft.; that concrete sidewalks and curbs shall be installed on Springfield boulevard and 111th avenue frontages; that the entire plot, where not occupied by accessory buildings and walls shall be levelled substantially to the grade of Springfield boulevard and 111th avenue and shall be paved with concrete paving, except for the areas along the interior lot lines, which shall be maintained for planting with curb protection; that gasoline pumps erected shall not be nearer than 15 ft. to the building line of Springfield boulevard or 111th avenue; that the entrances to the premises shall not exceed three—two (2) from Springfield boulevard not over 35 ft. in width each, and one (1) to 111th avenue not over 25 ft. in width; that at the intersection of Springfield boulevard and 111th avenue, there shall be a triangular platform of concrete not less than 12 in. in height and not less than 5 ft. along each building line from the point of intersection; that signs shall be restricted to illuminated globes of pumps and a permanent sign attached to the accessory building, excluding all temporary signs and roof signs, except that there may be erected within the building line at intersection of the two streets (111th avenue and Springfield boulevard), a post standard to support a sign which may be illuminated, advertising only the brand of gasoline sold and permitting such sign to extend beyond the building line for a distance of not over 5 ft.; that the premises shall be used for no other use than herein permitted; that no motor vehicle repairing shall be carried on or parking of cars, other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; and that all permits shall be obtained and all work shall be completed within six months from the date of this *amended* resolution.

Resolved further, that in the event the owner de-

sires to omit the wall hereinbefore required on the interior lot line to the north, and there is a wall of equivalent height erected by the owner of the adjoining premises in accordance with the resolution of the Board applying to the adjoining premises, the wall on these premises may be omitted."

APPEALS FROM ADMINISTRATIVE DECISIONS

981-39-A.

APPLICANT—Acme Quilting Co., lessee, for Bush Terminal Buildings Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—87 34th street, northwest corner of Third avenue (Block No. 683, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Simmons.

ACTION OF BOARD—Laid over to November 14, 1939, at 2 p.m., on request of applicant's representative.

1005-39-A.

APPLICANT — Alex Del Giorno, for Mary Fracchia, owner (Ferno Badagnani, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—22-71 33rd street, east side, 76 ft. 2 $\frac{3}{8}$ in. north of 23rd avenue (Block No. 832, Lot No. 2), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Benny Izzi.

For Administration: Joseph Ferro, dept. of housing and buildings.

ACTION OF BOARD—Laid over to November 21, 1939, at 2 p.m., for inspection by a committee of the board.

1037-39-A.

APPLICANT—The Korfund Company, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: S. Rosenzweig.

ACTION OF BOARD—Laid over to November 28, 1939, at 2 p.m., for inspection by a committee of the board.

1111-39-A.

APPLICANT—Benjamin Saltzman, assistant engineer for Alfred Rader, acting borough superintendent, for department of housing and buildings, Borough of Brooklyn.

OWNER OF PREMISES — William Crystal and Anna Crystal (Samuel Budoff, lessee).

SUBJECT—Application for the revocation of Certificate of occupancy No. 66349 and permit No. 11430-31.

PREMISES AFFECTED — 545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Owner: Beatrice Sloane.

ACTION OF BOARD—Laid over to November 21, 1939, at p.m., pending court decision.

1253-39-A.

APPLICANT—Boris W. Dorfman, for R. Green, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

MINUTES

PREMISES AFFECTED—159-01 Hillside avenue, northeast corner of Parsons boulevard (Block No. 342, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Walter Robinson.

For Administration: Joseph Ferro, dept. of housing and buildings.

ACTION OF BOARD—Laid over to November 28, 1939, at 2 p.m., for inspection by a committee of the board and further information from building department.

1254-39-A.

APPLICANT—Henry C. Brucker, for Mrs. Elizabeth Rogers, owner (Regular Democratic Organization of Glendale, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—67-46 to 67-52 Myrtle avenue and 302-306 68th street, southwest corner (Block No. 3702, Lot No. 25), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Kenneth O'Hare.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Laid over to November 28, 1939, at 2 p.m., for inspection by a committee of the board.

1271-39-A.

APPLICANT—Waid and Corbett, for Metropolitan Life Insurance Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—11-25 Madison avenue and 38-60 East 25th street, southeast corner (Block No. 841, Lot Nos. 1 to 41 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: John H. Derby.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Laid over to November 14, 1939, at 2 p.m. Applicant to file proper decision from borough superintendent.

1301-39-A.

APPLICANT—L. S. Stiles, for Brooklyn Union Gas Company, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Northeast corner of Maspeth avenue and Varick avenue (Block No. 2838, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: L. S. Stiles.

ACTION OF BOARD—Laid over to November 14, 1939, at 2 p.m.

1251-39-A.

APPLICANT—William Hyman for Moss Building Co., Inc., owner (Russell Teller, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—142-02 to 142-10 Lansing avenue, southwest corner of South Conduit avenue (Block No. 4822, Lot No. 106), Laurelton, Borough of Queens.

APPEARANCES—

For Applicant: William Hyman.

For Opposition: Harold Klorfein, dept. of parks.

For Administration: Joseph Ferro, dept. of housing and buildings.

ACTION OF BOARD—Appeal withdrawn after argument. Applicant to file building zone application.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

702-39-A.

APPLICANT—Greater New York Shoe Workers, lessee, authorized by Trustees of the Sailor's Snug Harbor, owner.

SUBJECT—Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—746-750 Broadway and 7 Astor place, northeast corner (Block No. 545, Lot No. 59), Borough of Manhattan.

APPEARANCES—

For Applicant: Irving Leuchter.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(702-39-A)

WHEREAS, Greater New York Shoe Workers, lessee, authorized by Trustees of the Sailors' Snug Harbor, owner, filed on May 26, 1939, an appeal from an order and decision of the Borough Superintendent of Buildings, affecting premises 746-750 Broadway and 7 Astor place, northeast corner (Block No. 545, Lot No. 59), Borough of Manhattan; and

WHEREAS, Violation Order No. 4958-38, dated November 4, 1938, reads:

"In that of changing use of building from business to public use (meeting rooms) without obtaining a Certificate of Occupancy.

You are hereby directed to discontinue using building for meeting rooms at once.

You are hereby directed to remove the above violation forthwith."

and

WHEREAS, the decision of the borough superintendent, dated April 20, 1939, reads:

"This will reply to your letter of March 13th, 1939, regarding the above violation for the use of building for public use contrary to law.

A further inspection was made and the facts that you presented in your letter were considered but it was, however, decided that the use comes under the classification of public use and the violation must be complied with."

and

WHEREAS, the building is 7 stories (80 ft.) in height, 82 ft. 9 in. by 106 ft. 9 in. in area, of nonfireproof construction; located in a business use district; erected in 1881 and occupied: Cellar—boilerroom; 1st floor—stores; 2nd floor—Trade Union Offices; 3d floor, same; 4th floor—Trade Union Offices—and recreation room for members; 5th floor, same; 6th and 7th floors—offices, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the premises occupied by Greater New York Shoe Workers are not occupied as meeting rooms, but as business offices and that the occupancy of the building has not been changed.

Resolved, that the order of the borough superintendent, Violation No. 4958-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the premises shall not be used for public assembly and that the number of occupants per floor shall not exceed the number legally permitted by the exits of the building; and that a certificate of occupancy for the building shall be obtained.

MINUTES

1119-39-A.

APPLICANT—J. and H. H. Goebel, for Edwards Hotel, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—58-64 Clay street, south side, 116 ft. 8 in. west of Manhattan avenue and 1109-1113 Manhattan avenue (Block No. 2487, Lot No. 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry H. Goebel.

For Administration: Thomas A. Larkin, fire dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4

THE RESOLUTION—

(1119-39-A)

WHEREAS, J. and H. H. Goebel, for Edwards Hotel, Inc., owner, filed on September 8, 1939, an appeal from an order and decision of the fire commissioner affecting premises 56-76 Clay street, south side, 116 ft. 8 in. west of Manhattan avenue and 1109-1113 Manhattan avenue (Block No. 2487, Lot No. 34), Borough of Brooklyn; and

WHEREAS, Order No. 2277-LF issued by the Fire Commissioner March 14, 1939, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers on North side of 1st story and cellar occupied for woodworking and storage of lumber, etc."

and

WHEREAS, the said order was repeated in a decision of the Fire Commissioner dated August 9, 1939; and

WHEREAS, the order refers to No. 58-64 Clay street, which is 3 stories (33 ft.) in height, 73 ft. 4 in. by 100 ft. in area, of Class 3 construction; located in an unrestricted use, A area, district erected in 1925; occupied: Cellar—boilerroom; 1st floor, woodworking factory and lumber storage; 2nd floor, lodgers, 45 persons; 3d floor, lodgers, 45 persons; and

WHEREAS, the applicant contends that the present occupancy of the premises is not hazardous; that the building, which is the subject of this order, is part of a single unit known as 1109-1113 Manhattan avenue; that the entire premises were the subject of examination and review by the Fire Department and its Bureau of Fire Prevention and by the Board in connection with an order previously issued relating to the installation of a sprinkler system in premises 1109-1113 Manhattan avenue; and

WHEREAS, the board deemed, that due to the woodworking on premises, a sprinkler system should be provided.

Resolved, that Order No. 2277-LF of the fire commissioner be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1237-39-A.

APPLICANT—David Kaufman, for Patchogue Oil Terminal Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—679-723 Court street, southeast corner of Bryant street (Block No. 624, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Kaufman.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4

THE RESOLUTION—

(1237-39-A)

WHEREAS, David Kaufman, for Patchogue Oil Terminal Corporation, owner, filed on October 3, 1939, an appeal from a decision of the borough superintendent of Buildings, affecting premises 679-723 Court street, southeast corner of Bryant street (Block No. 624, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent, re Applic. No. 5896-39, dated October 3, 1939, reads:

"1. Proposal to install 3 individual Oil Storage Tanks in excess of 100,000 gallons each, is contrary to Rule 6.3 of the Oil Burner Rules adopted by the Bd. of Standards and Appeals and Ch. 19-50.0 par. E of the Administrative Code."

and

WHEREAS, the premises consist of a plot fronting 279 ft. on Bryant street and 470 ft. on Court street and bounded on the south and east by the Gowanus Canal, on which their exists an oil storage plant consisting of buried tanks. It is proposed to erect three (3) new tanks each 105 ft. in diameter, 152 ft. high, having a capacity of 3,360,000 gallons for the storage of fuel oils not lighter than No. 3; and

WHEREAS, the applicant contends that present storage facilities are inadequate; that due to the high cost of steel and materials, it is not profitable to build less than the capacities requested; that a steam and foamite system will be installed; that there are five (5) yard hydrants on the premises; that tanks will be provided with cross connections to transfer oil in the event of danger; that the only adjoining property that may be built on within the area, belongs to the same owner; that masonry dykes will be provided with a capacity of 1½ times the capacity of the three (3) tanks; that the construction of the tanks will comply with the Building Code; that two (2) of the tanks will be erected at present and one (1) will be erected next year; and

WHEREAS, the Board deemed that the storage of oil of such a large capacity would create a hazard.

Resolved, that the decision of the borough superintendent as to Applic. No. 5896-39 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1257-39-A.

APPLICANT—Harry C. Stenger, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—60-94 69th avenue, southeast side, 400 ft. northeast of 60th lane (Block No. 3536, Lot No. 21), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Harry C. Stenger.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4

Negative 0

THE RESOLUTION—

(1257-39-A)

WHEREAS, Harry C. Stenger, owner, filed October 13, 1939, an appeal with the Board of Standards and Appeals from a decision of the Borough Superintendent of Buildings affecting premises 60-94 69th avenue, southeast side, 400 ft. northeast of 60th lane (Block No. 3536, Lot No. 21), Ridgewood, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent of Buildings rendered in acting on Misc. application 5345-1939, reads:

"Structure is within fire limits and contrary to Sect. 4.1.2 N.B.C."

MINUTES

and

WHEREAS, it is proposed to erect a wooden tower of lattice work 20 ft. high and 4½ ft. wide at the bottom to support radio antennae-arrays of thin walled dural tubing, 2 ft. to 8 ft. in length of total weight of 100 lbs.

Resolved, that the decision of the Borough Superintendent, acting on Misc. Applic. No. 5345-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be further increased in height or area and *granted* only so long as the proposed roof structure is used as proposed and the building is occupied by not over two families.

1265-39-A.

APPLICANT—Ervin Palmer, for Kannen Brothers, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—825-829 First avenue and 351-353 East 46th street, northwest corner (Block No. 1339, Lot Nos. 22½, 23, 24 and 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Ervin Palmer.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1265-39-A)

WHEREAS, Ervin Palmer, for Kannen Brothers, Inc., owner, filed October 16, 1939, with the Board of Standards and Appeals an appeal from a decision of the Borough Superintendent of Buildings, affecting premises: 825-829 First avenue and 351-353 East 46th street, northwest corner (Block No. 1339, Lot Nos. 22½, 23, 24 and 25), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent of Buildings rendered October 13, 1939, in acting on New Building Appl. 49-1939, reads:

"11. Means of egress are inadequate. Two lawful means of egress very remote from each other must be provided. Means of egress as shown are not acceptable. Section 6.1.2.4 of the Building Code."

and

WHEREAS, the proposed building is to be 2 and 3 stories (30 ft.) in height, 76 ft. 8 in. by 80 ft. in area of Class 1 construction, located in an unrestricted use B area district, to be occupied as a garage and gasoline service station; and

WHEREAS, the board has considered statements made by the applicant as to the reasons for this appeal.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 49-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Objection No. 11, *on condition* that the building shall not be further increased in height or area and *granted* only so long as the building is occupied as proposed and the stairs conform to all requirements therefore as to construction; that the existing windows opening from the lubricatorium space to the garage on the 1st floor and to the elevator shaft shall be filled in with approved masonry.

1284-39-A.

APPLICANT — William P. LaVallee, for Kate Leake, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—103-27 Lefferts boulevard, east side, 260 ft. south of 103rd avenue (Block No.

9557, Lot No. 55), Morris Park, Borough of Queens.

APPEARANCES—

For Applicant: William P. LaVallee.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1284-39-A)

WHEREAS, William P. LaVallee, for Kate Leake, owner, filed on October 17, 1939, an appeal from a decision of the borough superintendent of Buildings, affecting premises 103-27 Lefferts boulevard, east side, 260 ft. south of 103d avenue (Block No. 9557, Lot No. 55), Morris Park, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, re Alt. Applic. No. 2346-39, dated October 9, 1939, reads:

"Changing occupancy of a frame bldg. within the fire limits from a dwelling to Funeral Parlor and Dwelling is contrary to Section 4.1.5 Bldg. Code."

and

WHEREAS, the building is 2½ stories (30 ft.) in height, of Class 4 wood frame construction; 22 ft. 3 in. by 46 ft. 2 in. in area, on a lot 40 ft. by 112.5 ft. deep; erected in 1909; located in a business use district; occupied: Cellar, ordinary storage and Heat; 1st floor, one family dwelling, 4 persons; 2nd floor, same; proposed occupancy: Cellar—ordinary storage and heat; 1st floor—Funeral Parlor, 70 persons; 2nd floor, one family dwelling, 4 persons.

Resolved, that the decision of the Borough Superintendent re Alt. Applic. No. 2346-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the main floor shall be reinforced to meet the requirements of the Building Code for the proposed occupancy; that the cellar ceiling shall be fire-retarded throughout; that the existing number of exits shall not be decreased; that the second floor shall be occupied for one family only and by the same person who operates the proposed undertaking establishment; that such portable fire-fighting extinguishers shall be installed in the cellar as the Fire Commissioner may direct; and *granted*, only so long as the building is occupied as proposed and no buildings on adjoining lots are erected nearer to the lot line than they are at present.

1291-39-A.

APPLICANT—Croker Fire Prevention Corporation, for Corroon and Reynolds, owners.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—92 William street and 34-38 Platt street, southeast corner (Block No. 68, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Maher, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1291-39-A)

WHEREAS, Croker Fire Prevention Corporation, for Corroon and Reynolds, owners, filed on October 16, 1939, an appeal from a decision of the Fire Commissioner, affecting premises 92 William street and 34-38 Platt street, southeast

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corner (Block No. 68, Lot No. 22), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated October 9, 1939, reads:

"In reply to your request to remove the standpipe siamese on the William street front of the above premises and to install a 4 in. siamese header from the base of the 6-inch riser to a siamese on the Platt street front.

You are advised that inspection indicates that the present two siamese headers are 6 in. (six inches) in diameter and extend to a siamese on each street front. As the Building Code requires a siamese on each street front and as the present pipe sizes in existing systems may not be decreased your request must be denied."

and

WHEREAS, the building is 12 stories (142 ft.) in height, 32 ft. 6 in. by 112 ft. in area; of Class 1 construction; equipped with a standpipe system; erected in 1903; located in an unrestricted use district and occupied: Cellar—toilets and storage; 1st floor—store and offices, 20 persons; 2nd to 12th floors—offices, 25 persons per floor; and

WHEREAS, the applicant contends that a cross-connection exists between the siamese connection on William street and Platt street fronts; that this cross-connection is buried beneath the floor and is not accessible for repairs. It is proposed to intercept the existing cross-connection at an existing check valve now in position in a pit beneath the cellar floor, running a new connection vertical to the cellar ceiling, thence northerly through the front wall on Platt street and to provide a new siamese. The old standpipe connections on Platt street and William street will be removed and all piping beyond the existing check valves will be discontinued. The existing standpipe riser is 6 inches in diameter, notwithstanding the fact that only 4 inches is required; that in view of the fact that cellar has a finished floor and is used for storage and locker space and that the present line underneath the cellar floor is not accessible for repairs, a modification is requested, so as to permit the installation as proposed.

Resolved, that the decision of the fire commissioner, dated October 9, 1939, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall be installed a new 6 inch siamese of the approved type on the Platt street front, approximately 35 ft. easterly from the corner of William street and equipped with required check valve satisfactory to the fire commissioner; and that the existing 4 inch siamese connections shall be entirely removed.

1338-39-A.

APPLICANT — Diebold Safe and Lock Company for Metropolitan Life Insurance Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Plot bounded on the North by East Tremont avenue, on the East by Purdy street, Odell street, Raymond avenue, Olmstead avenue; on the South by McGraw avenue, Metropolitan avenue, Hugh Grant Circle; on the West by Virginia avenue (appr. 100 ft. east of White Plains road), Guerlian street and Unionport road (Block No. 3938, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert S. Trainor.

For Administration: Maurice Harris, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

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THE RESOLUTION—

(1338-39-A)

WHEREAS, Diebold Safe and Lock Company, for the Metropolitan Life Insurance Company, owner, filed on October 28, 1939, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises bounded by East Tremont avenue on the north, Purdy street, Odell street, Raymond avenue, Olmstead avenue on the east, McGraw avenue, Metropolitan avenue, Hugh Grant Circle on the south, Virginia avenue, Wood avenue, Guerlian street, and Unionport road on the west (Block No. 3944, Lot No. 1, Block No. 3938, Lot No. 1, Block No. 3950, Lot Nos. 1, 30, 33, 34, 35, 39, 52, 55, 56, and 57, Block No. 3949, Lot Nos. 37, 38, 40, 41, and 42, Block No. 3936, Lot No. 81, Block No. 3937, Lot Nos. 1, 2, 3, 4, 5, 6, 7, 8, 25, 26, 29, 30, 31, and 35, Block No. 3945, Lot Nos. 4, 26, 36, 37, 40, and 75, Block No. 3946, Lot Nos. 59, 60, 61, 66, 74, 75, 87, 88, 100, 101, 102, 103, 104, and 105, Block No. 3959, Lot Nos. 1, and 60, Block No. 3960, Lot Nos. 1, and 6, Block No. 3961, Lot Nos. 1 and 60, 66, and 70, and Block No. 3962, Lot Nos. 20), Borough of The Bronx (Parkchester-Metropolitan Housing Development; and

WHEREAS, the decision of the Borough Superintendent, re N.B. application Nos. 438-38, 439-38, 440-38, 441-38, 442-38, 447-38, 448-38, 453-38, 454-38, 455-38, 481-38, 482-38, 483-38, 498-38, 499-38, 512-38, 513-38, 521-38, 522-38, 561-38, 562-38, 574-38, 575-38, 578-38, 653-38, 654-38, 671-38, 672-38, 675-38, 676-38, 693-38, 707-38, 708-38, 20-39, 21-39, 40-39, 41-39, 43-39, 44-39, 49-39, 50-39, 95-39, 96-39, 113-39, 114-39, 115-39, 121-39, 122-39, 123-39, 145-39, 146-39, 147-39, 151-39, 440-39, 458-39, 588-39, 669-39 and 767-39, dated October 26, 1939, reads:

"A-1. Permission to hang 1½ hour hollow metal doors on three No. 13 Bommer spring hinges, 7" high denied. See Board of Standards and Appeals approval, (Cal. No. 941-39-SM).

A-2. Permission to hang one hour hollow metal door 2' 6" x 7' 0" or smaller by one pair of No. 9 Bommer spring hinges, 6" high, denied. See Board of Standards and Appeals approval (Cal. No. 659-39-SM).

A-3. Permission must be obtained from the Board of Standards and Appeals for the use of mechanical bell and interviewer on hollow metal doors between corridors and apartments. Sec. 2.2.1.1 of Building Code and C26.189.0 of Administrative Code."

and

WHEREAS, it is proposed to use a door having a one-hour rating, as manufactured by the United Metal Products Division of Diebold Safe and Lock Company, as approved by the Board under Cal. No. 659-39-SM, and to hang same on one pair of 6" No. 9 Bommer spring hinges, when such doors are 2' 6" x 7' 0", or smaller, and to use a 1½-hour rating Hollow Metal door, manufactured by the United Metal Products Division of Diebold Safe and Lock Company, as approved by the Board under Cal. No. 941-39-SM. These doors to be hung on three No. 13 Bommer spring hinges, 7" high. It is also proposed to install on Hollow Metal doors between corridors and apartments a mechanical bell and interviewer as supplied by the United Metal Products Division of Diebold Safe and Lock Company, which device has not been approved by the Board, and was not considered for use with the doors, as proposed at the time such applications were before the Board for approval; and

WHEREAS, the applicant contends that the 1½-hour doors, as approved under Cal. No. 941-39-SM, were tested with three (3) 4½" Stanley hinges, and that it is proposed to substitute for the 4½" hinges, three (3) 7" Bommer Spring hinges, which will make a better condition than that originally considered by the Board. That, on the one-hour doors, as approved by the Board of Standards and Appeals, under Cal. No. 659-39-SM, where the opening is 2' 6" x 7' 0", or smaller, it is proposed to substitute 6" Bommer hinges in lieu of the 7" Bommer hinges, which were considered by the Board at the time of testing; that the door

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which was tested by the Board was 3' 0" x 7' 0", and permission is requested to make this change in view of the fact that the doors which are proposed to use, are smaller than the door tested, and will be used in obscure locations, such as closets, etc., that, as to the interviewer and mechanical bell device, same will consist of a bronze bell mounting plate and wicket, and a mechanical chime bell, located in the panel of the one-hour doors, between apartments and corridors only; that devices of similar character have been in general use in apartments for many years, and are at present being installed in similar Housing Projects.

Resolved, that the decision of the borough superintendent, on N.B. Applic. Nos. 438, 439, 440, 441, 442, 447, 448, 453, 454, 455, 481, 482, 483, 498, 499, 512, 513, 521, 522, 561, 562, 574, 575, 578, 653, 654, 671, 672, 675, 676, 693, 707, 708 of 1938, and 20, 21, 40, 41, 42, 43, 44, 49, 50, 95, 96, 113, 114, 115, 121, 122, 123, 145, 146, 147, 151, 440, 458, 588, 669, 767 of 1939, be and it hereby is *modified*, and that the appeal be and it hereby is granted, so as to permit the variation as to the use of doors as approved by the Board under Cal. No. 659-39-SM and Cal. No. 941-39-SM, so as to use steel Bommer spring hinges, as proposed, and, also, to permit the installation on such approved doors of wicket and mechanical bell of a design as indicated on plans filed with this appeal, *on condition* that the wicket shall be so arranged that the cover shall close by gravity and that in all other respects, the doors shall comply with the requirements of the approvals by the Board.

295-37-A.

APPLICANT—Benjamin M. Sylvan, for 107-109 Bowery Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution in accordance with Order of the Court—re Appeal from a decision of the commissioner of buildings previously granted by the board on certain conditions.

PREMISES AFFECTED—107-109 Bowery, east side, 150 ft. 1 in. north of Hester street (Block No. 304, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant: Benjamin M. Sylvan and Ivan V. Slavak.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(295-37-A)

WHEREAS, Benjamin M. Sylvan, for 107-109 Bowery Holding Corporation, owner, filed June 16, 1937, an appeal from a decision of the commissioner of buildings affecting Premises 107-109 Bowery, east side, 150 ft. 1 in. north of Hester street (Block No. 304, Lot No. 7), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of buildings on Alt. App. No. 2249-1937, dated June 15, 1937, reads:

"1. Stair enclosure should be 8 in. brick.

2. Depth of room should not exceed 30 ft. from nearest window. Sec. 29, M.D.L.

and

WHEREAS, the building in question is 5 stories (58 ft.) in height, 41 ft. 9 in. by 91 ft. 2 in. in area; OCCUPIED AS FOLLOWS: Cellar—storage and boiler room; no persons; 1st floor—stores, 5 persons; 2nd and 3rd floors—vacant; and

WHEREAS, it is proposed to convert the present five-story building into a three-story building, 37 ft. 8 in. in height, to be OCCUPIED AS FOLLOWS: Cellar—storage and boiler room, no persons; 1st floor—stores—5 persons;

2nd floor—lodging house—70 persons; 3rd floor—lodging house—70 persons; and

WHEREAS, the building in question was erected before 1900, is now located in an unrestricted use district and no certificate of occupancy has been issued therefor; and

WHEREAS, the applicant contends that it is proposed "to remove the present rear wall for the full height of the building above the first floor and that a 14 ft. yard will be provided above the first floor extension roof level for the three-story building; that the present wood stairs will be removed and a new interior 3 ft. 8 in. fireproof stairway facing the street will be installed to extend from the first floor level to the roof, enclosed with 4 in. T.C. blocks and 1-hour test fire doors; that stair landings and platforms will be constructed of T irons and concrete; that a new fire stairs will be provided at rear of building, extending from cellar level to roof level; the stairs to be 3 ft. 8 in. with 7¾ in. risers and 9½ in. tread, metal mesh guard 6 ft. high, all as per section 154 of the building code; that a fireproof passageway leading from yard to street, enclosed with 8 in. brick, 3 ft. 8 in. in the clear, 7 ft. clear height, with cement floor and 4 in. T.C. block ceiling, will be provided; that cement steps from cellar to street level will be 3 ft. 8 in. in the clear, 7¾ in. riser and 9½ in. treads, with pipe handrails on both sides, and not extending more than 18 in. beyond the building line, will be provided; that the roof of the first floor extension will be fireproof; that cellar and store ceilings will be fire-retarded; that in every respect this building will comply with the requirements of the M.D.L. and the building code for a building hereafter erected and with the health department regulations governing lodging houses; and

WHEREAS, the applicant further contends: "no section of the M.D.L. prohibits the use of 4 in. T.C. blocks for enclosing a stairway; that the requirements in section 29 of the M.D.L. that no apartment room extend in depth more than thirty feet is not applicable here; that the M.D.L. omits stating any such qualifications for a dormitory consisting of an entire floor; adequate light and ventilation is provided from the windows facing the legal yard and from the windows in the street wall, which are equal to 10% of the area of the floor; this point has been previously so ruled on by your honorable board in at least the following two instances:

(1) Cal. No. 41-35-A, Premises No. 313-15 Bowery, decision recorded on page 684 of the Bulletin of the Board of Standards and Appeals, dated July 9, 1935.

(2) Cal. No. 206-36-A, Premises 332-34 Pearl St., Brooklyn, decision recorded on page 895 of the Bulletin of the Board of Standards and Appeals, dated July 21, 1936."

and

WHEREAS, the decision of the Board on June 22, 1937, was subject to Court review and the decision was rendered by Mr. Justice Shientag, sitting in Special Term, Part III; and

WHEREAS, under such decision, the Board's determination as to the application of the Multiple Dwelling Law to a dormitory, was overruled.

Resolved, that the resolution adopted by the Board on June 22, 1937, be and it hereby is *amended* as to the decision of the Board as to Item 2, so as to conform with the ruling of the Court, so that the resolution shall read:

"*Resolved*, that the decision of the commissioner of building, acting on Alt. App. No. 2249-37, be and it hereby is *affirmed* as to item 1 and item 2, and that the appeal be and it hereby is *denied*."

321-39-A.

APPLICANT—Clayton G. Shirkey, for Seaside Improvement Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Rear of 301-305 Beach 101st

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street, northwest corner of Long Island Railroad (Block No. 586, Lot No. 65), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Clayton G. Shirkey.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(321-39-A)

WHEREAS, Clayton G. Shirkey, for Seaside Improvement Company, owner, filed March 14, 1939, an appeal from decisions of the borough superintendent of buildings affecting premises: rear of 301-305 Beach 101st street and northwest corner of Long Island Railroad and Beach 101st street (Block 586, part of Lot No. 65), Rockaway Beach, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, on B.N. Application Nos. 220, 221 and 223-1939, dated March 10, 1939, read:

"The moving of a frame building located within the fire limits to another site also within the fire limits, is contrary to Order of May 26, 1938, as issued by Borough Superintendent."

and

WHEREAS, these buildings are part of a group of seven buildings which are to be moved to the site as shown on plans filed with this appeal. Each building will be 1 story, 12 ft. in height, 14 ft. by 22 ft. in area, of Class 4 construction, located in an unrestricted use "A" area district and occupied as summer bungalows, 4 persons each; and

WHEREAS, the applicant contends that the existing buildings are summer bungalows in good condition and must be moved or demolished, to allow grade elimination work on the Long Island Railroad and also to make room for proposed station on part of ground now occupied by existing buildings. It is proposed to move these buildings to the opposite side of the same street, which is owned by the present owner and that the buildings existing on the site are of the same character; and

WHEREAS, this appeal was granted by the Board April 11, 1939, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on April 11, 1939, be and it hereby is *amended*, so that as amended, it shall read:

"*Resolved*, that the decisions of the borough superintendent, on B.N. Application Nos. 220, 221 and 223 of 1939, be and they hereby are *modified*, and that the appeal be and it hereby is *granted*, permitting the relocation of existing buildings, *on condition* that the buildings shall not be increased in height or area and shall not be located nearer than 8 ft. 1 in. to each other, and in all other respects shall comply with all laws, rules and regulations governing the construction of frame buildings outside of the fire limits.

Resolved further, that in the event the owner wishes to relocate the houses as indicated on revised plans filed, marked "Received September 20, 1939," such arrangement may be approved, on condition that in all other respects the requirements of the resolution adopted by the Board on April 11, 1939, shall be complied with."

429-39-A.

APPLICANT—Charles N. and Selig Whinston, for Mary Lehnert, owner (Newjam Realty Corporation, lessee).

SUBJECT—Application for consideration—reopening and

amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—163-30 Jamaica avenue, south side, 280 ft. east of 163rd street (Block No. 1167, Lot No. 15), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Charles N. Whinston and Leonard Lazarus.

ACTION OF BOARD — Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(429-39-A)

WHEREAS, A. Paul Loshen, for Newjam Realty Corporation, lessee, Mary Lenhart, owner, filed on April 5, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 163-30 and 163-32 Jamaica avenue, south side, 280 ft. east of New York boulevard (Block No. 1167, Lot No. 15), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated April 18, 1939, on B.N. Application 233-39, reads:

"1. Frame building used for business purposes is contrary to sec. 4.1.1 of the Bldg. Code.

2 (a) Submit writing from adjoining owner to allow exit from rear yard thru his property. Egress from fire escape to lead to a street; sec. 6.3.3.

(b) No fire escape is shown to serve 3rd fl.; sec. 6.1.2.2.5b.

(c) Sec. 6.4.1.1 requires a 44 inch stairway.

(d) Sec. 6.4.1.8.1b requires a 2 hr. stairway.

(e) Sec. 6.4.1.11.(3) requires a stairway from street to roof.

(g) Sec. 6.4.1.7.1 requires stairway to be of incombustible material—also provides handrail for each side; sec. 6.4.1.12.

5—Provide second means of egress from cellar; sec. 6.1.2.2.3 and to street; sec. 6.3.3.

7—Stairway from 3rd floor must lead directly to the street and be fire retarded with a one hr. material; sec. 6.1.2.2.5.

9—Cellar ceiling to be of 1 hr. fire rating; sec. 10.11.

13—Provide toilet facilities for each sex."

and

WHEREAS, the building is three stories (32 ft.) in height, 26 ft. by 86 ft. 5 in. in area of frame construction, erected prior to 1910, located in a business use district and occupied: Cellar, boiler room, no persons; 1st floor, stores; 2nd floor, beauty parlor and tea room, 50 persons; 3rd floor, dwelling, 2 persons; it is proposed to occupy the building as follows: Cellar boiler room; 1st floor, 2 stores; 2nd floor, beauty parlor and tea room, 50 persons; 3rd floor, vacant; and

WHEREAS, a violation was issued March 28, 1938, requiring that stairs be made to comply with the building code, exit doors to open outwardly, trap door being removed and plans submitted showing compliance with the code for business buildings; and

WHEREAS, B.N. Application 233-39 was filed in an effort to comply with said violation, and objections appealed herein were received; and

WHEREAS, it is proposed to install new girder and columns in cellar, to cover entire cellar ceiling with ½ inch plaster boards, to remove present exit door at foot of stairway leading from 2nd floor to street floor; to fire retard partitions and line stairs and soffits of stairs with approved one hour resistive material, except on portion which is now brick filled and separates the stairway from the millinery store; to remove the wood from westerly

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side of partition dividing the two stores and to install new 3 ft. by 6 ft. one hour fire door at the head of stairway at second floor level, and to install new 3 ft. by 7 ft. door to beauty parlor, opening outwardly; to change the swing of door to tea room to swing outwardly to install an exhaust fan in tea room and new fire-escape at rear of tea room with sliding drop-ladder to rear yard; to vacate third floor and remove all fixtures in kitchen and seal plumbing or gas lines and to install iron ladder from third floor to scuttle in roof; and

WHEREAS, the applicant contends that the building has been occupied on the first floor for retail stores at least 25 years; that in 1926 the second floor was altered for dental offices under alteration No. 2258-26; that the dental offices were vacated in 1932 and the front portion of the second floor leased for a beauty parlor and the rear portion for a tea room; that in 1935, the present applicant became the owner and holder of a leasehold for 21 years and invested over \$17,000 on the strength of a search of the building department records, which revealed that no violation existed; that it is impossible to comply with the requirements of the building department, for the following reasons: As to Objection 1, that the proposed alterations are proper and reasonable and will make the building safe for business occupancy; that as to objection 2A, there is a minimum depth from the rear of the building to the rear lot line of approximately 115 feet; that in addition to this, the adjoining property to the rear is vacant and occupied as a bus terminal and offers easy means of egress by means of a gate in the wire fence separating the 2 lots; that as to objection 2B, it is proposed to vacate the third floor and to install a fire-escape to serve the second floor; that as to objection 2C, the existing stairway is 38 inches wide and it is proposed to limit the occupancy of the 2nd floor to 60 persons; that as to objection 2D, that the proposed fire retarding of the stair-hall partition is adequate; that as to objection 2E, the present stairway terminates 10 feet 6 inches inside the building line; this area is concrete paved; that as to objection 2G, it is proposed to provide hand-rails and to fire retard the stairway as heretofore referred to; that as to objection 5, cellar is used only for boiler room, with a boiler located 15 feet from the rear egress, and in view of these circumstances, no two means of egress should be required from the cellar; that as to objection 7—the third floor will be vacated; that as to objection 9, the proposed covering of the cellar ceiling with ½ inch plaster boards with joints pointed up, should be accepted in view of the fact that this is an existing building; that as to objection 13, the tea-room has two toilets and there will be no male occupants at the present time and the present toilet facilities are adequate; and

WHEREAS, this appeal was granted by the Board May 2, 1939 on certain conditions and owner requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on May 2, 1939, be and it hereby is amended, so that as amended, it shall read:

"Resolved, that the decision of the borough superintendent, on B.N. Applic. No. 233-39, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that the ceiling throughout the cellar shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the primary means of exit need not be increased in width, but shall be enclosed between the 1st and 2nd floors with fire-retarded partitions; that the exit passage from the stairway to the street need not be nearer than 10 ft., as indicated on plans filed with the borough superintendent of buildings; that the door from the stairway at the 1st floor level shall be removed; that the stairway shall continue to the 3rd floor with an iron ladder at landing to the scuttle in the roof; that on the roof there shall be a ladder placed against the parapet, to permit exit to the roof of the adjoining building;

that the 3rd floor shall be vacated and occupied for no use and sealed against entrance except the stairway; that there shall be erected on the rear of the building from the 2nd floor to grade, an exterior fire escape; that there shall be an exit provided by means of a gate at the rear, to permit exit to adjoining premises; that the live floor load of the 1st and 2nd floors shall be not less than 100 lbs. per superficial foot; that the number of occupants on the 2nd floor for the proposed tea room and beauty parlor shall at no time exceed 50 persons; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that at least 2 sprinkler heads shall be installed in the 2nd floor kitchen attached to the domestic water supply; that the wood wainscoting shall be removed from the partition separating the 1st floor stores and plaster or equivalent material substituted; and that in all other respects the requirements of the building code shall be complied with.

Resolved further, that in the event the owner desires to construct a one story extension with brick walls and fire-retarded ceiling, substantially as indicated on revised plans marked 'Received October 5, 1939,' such construction may be permitted, provided in all other respects the resolution adopted by the Board on May 2, 1939 is complied with; that at the rear of this extension balcony, substantially at the roof level, a fixed ladder to grade shall be constructed and maintained; and that the existing entrance to the cellar from the rear yard may be discontinued, provided an approved engineer's ladder is installed leading from the cellar to Jamaica avenue."

VARIATIONS OF LABOR LAW

1233-39-S.

APPLICANT—Abraham and Straus, Inc. (lessee), for Abrast Realty Company, owner.

SUBJECT—Variation of the Labor Law as cited in a decision of the board of health, department of health.

PREMISES AFFECTED—422 Fulton street, north side, 93 ft. west of Hoyt street (east building); (Block No. 156, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Abrons and John G. Egan.

For Administration: A. E. Abrahamson, department of health.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1233-39-S)

WHEREAS, Abraham and Strauss, Inc., (lessee), for Abrast Realty Company, owner, filed on October 4, 1939, an application for variation of the Labor Law, as cited in a decision of the Board of Health, Department of Health, affecting premises 422 Fulton street, north side, 93 ft. west of Hoyt street (East Bldg.) (Block No. 156, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the Board of Health, dated September 12, 1939, re Applic. No. 4127, reads:

"At a meeting of the Board of Health of the Department of Health of The City of New York, held Sept. 12, 1939, your application for a Sanitary Certificate for a Cellar Bakery at 422 Fulton street in the Borough of Brooklyn, was denied."

and

WHEREAS, the building is ten stories and two basements in height, 245 ft. and 300 ft. by 176 ft. in area, of Class 1 construction, occupied throughout as a department store, equipped with a sprinkler system, standpipe system and

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interior fire alarm system and three fireproof enclosed stairs; and

WHEREAS, the applicant contends that the bakery in question consists of a glass enclosed automatic doughnut machine located in the sales space on the first basement floor; that the only bakery product manufactured on the premises is doughnuts, which are manufactured in a completely glass enclosed automatic machine as shown on exhibits filed with this appeal; that the basement in question is 15 ft. in height, 303 ft. by 101 ft. in area with terrazzo floors, and brick walls faced with plaster painted light green; that adequate lighting has been provided and there is in operation, an air conditioning system which provides a complete change of air every two minutes. There is no hazard involved, as the area is fully sprinklered.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law and that the application be and it hereby is granted as to Applic. No. 4127, and to grant a certificate of exemption under Section 338 of the State Labor Law, so as to permit the operation of the doughnut machine as proposed, on condition that such machine shall have a duct connection to the outer air satisfactory to the Department of Health and that the sprinkler system and ventilating system, as described throughout the basement, shall be maintained; that this certificate of exemption shall apply only to the doughnut machine as described in this application.

1246-39-S.

APPLICANT—Robert Teichman, for Herbert A. Wolff, trustee.

SUBJECT—Variation of the labor law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—2-8 West 46th street, south side, 100 ft. west of Fifth avenue (Block No. 1261, Lot No. 42), Borough of Manhattan.

APPEARANCES—

For Applicant: Robert Teichman and Erwin Rebafka.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1246-39-S)

WHEREAS, Robert Teichman, for Herbert A. Wolff, trustee, filed on October 9, 1939, an application for variation of the Labor Law, as cited in a decision of the Borough Superintendent of Buildings, affecting premises 2-8 West 46th street, south side, 100 ft. west of Fifth avenue (Block No. 1261, Lot No. 42), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent, re Alt. Applic. No. 2396-39, dated, reads:

"5. Thickness of fireproofing of steel should comply with Sec. 264 Labor Law.

6. All windows should be fireproof as per Sec. 264, Labor Law."

and

WHEREAS, these objections were repeated in an amendment which was disapproved September 25, 1939, by the Borough Superintendent; and

WHEREAS, the existing building is 16 stories (199 ft. 7½ in.) in height, of Class 1 construction; 100 ft. by 100 ft. 5 in. in area at street level, 100 ft. by 75 ft. 7 in. in area above; erected in 1923; located in a retail use, 1½ times height district and occupied: Cellar, storage; 1st floor, store and office; mezzanine, restaurant, 250 persons; 2nd to 5th floors, showrooms, 90 persons per floor; 6th to 16th floors, offices, 60 persons per floor; proposed occupancy; cellar—storage; 1st floor, store, office and restaurant, 250 persons;

2nd to 5th floors, showroom, office and light mfg. incidental to retail business, 90 persons per floor; 6th to 13th floors, office, showroom and light mfg. incidental to retail business, 60 persons per floor; 14th to 16th floors, offices, 60 persons per floor; equipped with a sprinkler system from cellar to 7th floor; two interior 3 ft. 8 in. stairs of fireproof construction equipped with fireproof doors at all openings. The building is equipped with a standpipe system; and

WHEREAS, the applicant contends as to objection 5, that the fireproofing on the steel is now 2 in. under the girders and 4 in. and more around columns but only 1½ in. under steel beams supporting floor arches. As to objection 6, a variation is requested on the second and third floor front windows; these windows are show windows consisting of ¼ in. plate glass in metal frames; that the largest lights on the second story are 8 ft. 1 in. wide and 7 ft. 7½ in. high and on the third story, 8 ft. 1 in. wide and 6 ft. 7 in. high; that the balance of the windows on the front elevation on the upper stories of the building, consist of metal frames, glazed with ¼ in. plate glass, no light of glass exceeding 720 sq. inches; that a variation is requested, so as to permit the omission of the self-closing devices on these windows on such floors where no manufacturing is conducted.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, and that the application be and it hereby is granted, as to Alt. Applic. No. 2396-39, Objection No. 5, on condition that in all other respects the fireproofing of steel shall comply with all requirements of the Labor Law and Building Code; as to Objection No. 6, that all windows throughout the building shall comply with the requirements of the Labor Law; except as to the 2nd and 3rd floors, that on these floors the frames and sash shall be of steel and glazed with plate glass not less than ¼ inch thick with no light on the 2nd floor larger than 8 ft. 1 in. by 7 ft. 7½ in. in height and on the 3rd floor, 8 ft. 1 in. by 6 ft. 7 in. and that windows on the front of the building above the 3rd story need not be made self-closing on such floors where no manufacturing is carried on; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1255-39-S.

APPLICANT—Samuel Rosenblum, for Equitable Life Assurance Society of U. S., owner.

SUBJECT—Variation of the labor law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—164 Madison avenue, west side, 49 ft. 4½ in. south of East 33rd street (Block No. 862, Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1255-39-S)

WHEREAS, Samuel Rosenblum, for Equitable Life Assurance Society of U. S., owner, filed on October 11, 1939, an application for variation of the Labor Law, as cited in a decision of the acting borough superintendent of buildings affecting premises 164 Madison avenue, west side, 49 ft. 4½ in. south of East 33rd street (Block No. 862, Lot No. 56), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent, re Alt. Applic. No. 2705-35, dated October 4, 1939, reads:

MINUTES

"4. Both means of exit must extend to the first floor and lead to street or an unobstructed passageway three feet wide leading to street on same premises, Sec. 271 Labor Law."

and

WHEREAS, the existing building is 6 stories (69 ft.) in height of non-fireproof construction; 24 ft. 8½ in. by 95 ft. in area at street level, 24 ft. 8½ in. by 84 ft. in area above; erected prior to 1888; Occupied: Cellar—storage; 1st floor, cafeteria, 75 persons; 2nd floor, sales camp equipment, 5 persons; 3rd floor, vacant at present; 4th, 5th and 6th floors, cutting ladies' undergarments, 4, 4 and 5 persons, respectively per floor; the building is equipped with one interior stairs extending from street to roof 3 ft. 8 in. wide of iron construction enclosed in 2 in. cement partition with fireproof doors at openings. It is proposed to construct a fire escape at the rear of the building extending to the roof by stairs with egresses from termination thereof at the second floor by means of a balcony connecting to the party wall fire escape at the rear of No. 160 and 162 Madison avenue; and

WHEREAS, the applicant contends that the proposed fire escape will have 45 degree connecting stairs and fireproof openings on the course, one of which will consist of 2 ft. by 6 ft. casement on each floor; that the manufacturing carried on in the building is slight and that the occupancy will not exceed 5 persons per floor above the first floor.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, and that the application be and it hereby is granted, as to Alt. Applic. No. 2705-35, Objection No. 4, on condition that the secondary means of exit shall be constructed as proposed, providing connection to the existing fire escape on buildings at Nos. 160 and 162 Madison avenue, from which escape is possible by means of doors leading into the 2nd story and thence by means of enclosed stairways to the street, on condition that the occupancy of No. 164 Madison avenue shall at no time exceed the number legally permitted for the primary means of exit; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1353-39-S.

APPLICANT—Cross and Cross, for City Bank Farmers Trust Co., owner (Tiffany and Co., lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—727-729 Fifth avenue, southeast corner of East 57th street (Block No. 1292, Lot No. 66), Borough of Manhattan.

APPEARANCES—

For Applicant: James H. Parell.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Application accepted and granted on condition.

THE VOTE TO ACCEPT APPLICATION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative .. 4

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative .. 4

THE RESOLUTION—

(1353-39-S)

WHEREAS, Cross and Cross, for the City Bank Farmers Trust Company, owner (Tiffany and Co., lessee), filed November 3, 1939, an application for variation of the Labor Law as cited in a decision of the Borough Superintendent of Buildings, affecting premises 727-729 Fifth avenue, southeast corner of East 57th street (Block No. 1292, Lot No. 66), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on N.B. Application No. 173-39, dated September 26, 1939 reads:

"6. All exterior windows in this building should be fireproof and panes of glass should not exceed 720 square inches, Section 264 L.L. and

WHEREAS, the proposed building will be 8 stories and basement (135 ft. 6 in.) in height, 85 ft. 5 in. by 125 ft. in area, of Class 1 construction, equipped with a standpipe and sprinkler system, located in a restricted retail use district and occupied: Cellar—mechanical equipment and shipping, 80 persons; 1st floor, retail sales, 65 persons; 2nd floor, sales and buying, 15 persons; 3rd floor, sales, 20 persons; 4th floor, sales, 15 persons; 5th floor, offices and stockroom, 37 persons; 6th floor, offices, 42 persons; 7th floor, engraving, designing and watch repairs, 66 persons; 8th floor, manufacture, design and repair of jewelry, 80 persons; and

WHEREAS, the applicant contends the building will be occupied by one tenant throughout and devoted exclusively to the manufacturing and sales of jewelry with not more than 10% of the employees engaged in manufacturing work; that no manufacturing will be conducted below the 7th floor; that the windows on the 8th floor will be fixed sash with no light of glass exceeding 720 square inches; that a variance is requested, so as to omit the self-closing requirement on the windows throughout the building, to permit the use of windows exceeding the 5 ft. by 9 ft. maximum size, as provided in Rule 503 of the Industrial Code and to permit the use of windows on the 1st and mezzanine stories with lights of glass exceeding 720 square inches; that the maximum size of windows on the 1st floor will be 10 ft. 8 in. by 18 ft. 8 in. The maximum size of windows on mezzanine story will be 6 ft. by 7 ft. All sash will be of stainless steel or bronze.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law and that the application be and it hereby is granted as to Objection No. 6 relating to N.B. Application No. 173-39, permitting the windows on the street fronts to exceed the size permitted by the Labor Law, on condition that such windows do not exceed the dimensions indicated on plans filed herein and that the frames and sash of such windows shall be either steel or bronze; that the windows shall be glazed with plate glass throughout not less than ¼ inch in thickness and that self-closing devices on windows on the street fronts may be omitted, provided the building is of fireproof construction throughout and is protected with a sprinkler system and no windows are constructed on the lot lines to the south and east; that the manufacturing shall be restricted to the 7th and 8th floors of the building; that the eighth story shall be set back from the building line as indicated and that the windows in such story shall be in compliance with the requirements of the Labor Law as to size; that in all other respects the building and occupancy shall comply with the Zoning Resolution, the State Labor Law and all other laws, rules and regulations applicable thereto.

APPLIANCES SUBMITTED FOR APPROVAL

918-22-SA.

APPLICANT—Williams Oil-O-Matic Heating Corporation, owner.

SUBJECT—Application for reopening—amendment—Williams Oil-O-Matic Fuel Oil Burner, Model HP-3.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative .. 4

MINUTES

THE RESOLUTION—

(918-22-SA)

WHEREAS, the Fuel Oil Burner Corp., owner, filed July 10, 1922, an application with the Board of Standards and Appeals for approval of the appliance known as the Williams Oil-O-Matic Fuel Oil Burner; and

WHEREAS, this appliance was approved by the board November 21, 1922, for general installation and various models of this burner have been incorporated in this approval from time to time; and

WHEREAS, the present owner, the Williams Oil-O-Matic Heating Corporation, has requested approval of Model HP-3; and

WHEREAS, the report of the engineer of the board on this model, is as follows:

REPORT OF ENGINEER OF BOARD

Cal. No. 918-22-SA

Williams Oil-O-Matic Fuel Oil Burner, Model HP-3

Under date of July 15, 1924, the board approved the Williams Oil-O-Matic Fuel Oil Burner and under date of July 17, 1934, approved various models, J, JJ, Junior, K, KA, KB and R and water heater models for use with fuel oil not heavier than No. 4, in all type of installations and request has been made for inclusion of Model HP-3.

This model was inspected and tested at 329 East 48th street.

This model is similar in design and function to the Model K type embracing the following identical features; base stand and legs, fan housing and fan, draft pipe and air cone, motor (capacitor type), transformer and electrodes, adjustable air shutter, optimal controls from Penn Electric Switch Co., Mercoid Corp. or Minneapolis Honeywell. The only difference in design is the elimination of the metering and atomizing unit, substituted with two-stage pump operating the unit at a pressure of 100 lbs.

This model has been approved by the Underwriters Laboratories, Guide No. 300-10.4, File MP 1133.

It is recommended that the Williams Oil-O-Matic Fuel Oil Burner, Model HP-3 be approved for use in New York City on condition that the burner be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and in conformity with the above report.

and

WHEREAS, these models were approved by the Board and owner requested approval of models HP-1 Sentinel and HP-3A Sentinel; and

WHEREAS, these models were submitted to the committee on Test of the Board for report; and

WHEREAS, the report of the committee on Test reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 918-22-SA November 8, 1939

Subject: Amendment to resolution adopted by the Board November 22, 1938 to include approval of additional models HP-3A Sentinel and HP-1 Sentinel.

These models are similar in design and construction to HP-3 approved by the Board November 22, 1938.

HP-1 Sentinel has a capacity of 1 gallon per hour, maximum, while HP-3A Sentinel has a capacity of 3 gallons per hour maximum. These models have been approved by the Underwriters Laboratories.

It is recommended that the resolution of the Board adopted November 22, 1938, be amended to include models HP-1 and HP-3A, under the conditions set forth in the resolution.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

WHEREAS, this report recommended the approval of these models.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 15, 1924, as amended by resolution adopted June 23, 1931, July 17, 1934 and November 22, 1938, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Williams Oil-O-Matic Fuel Oil Burner Models J, JJ, Junior, K, KA, KB, R, HP-3, HP-1 Sentinel and HP-3A Sentinel and water heater models for use with fuel oil not heavier than No. 4 U. S. Dept. of Commerce Standards in all types of installations, when installed in accordance with the Oil Burner Rules of the board and as to Model HP-3, HP-1 Sentinel and HP-3A Sentinel, in accordance also with above reports, *on condition* that on all future installations each model shall have a label permanently affixed thereto reading:

Approved by the
Board of Standards and Appeals
for Use in New York City
Under Cal. No. 918-22-SA.

Resolved further, that Model HP-1 Sentinel and HP-3A Sentinel may also be marketed under the name HP-1 Metered Heat and HP-3A Metered Heat on condition that under whichever name marketed the above requirements shall be complied with.

341-33-SA.

APPLICANT—Volcano Burner Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment re additional name of "Quiet Flame Oil Burner"—re Volcano Automatic Oil Burner, Models E, EW-1, EW-1-S and EW-2, previously approved.

APPEARANCES—

For Applicant: Ernest Charwat.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(341-33-SA)

WHEREAS, Volcano Burner Corporation, owner, filed November 13, 1933, an application with the Board of Standards and Appeals for approval of its device known as the Volcano Automatic Oil Burner, Models EW-1, and amended to include EW-1-S and EW-2, and

WHEREAS, these models were approved by the board May 20, 1934, on the basis of the following report:

The representative of the board and two representatives of the bureau of combustibles of the fire department witnessed the tests made on the burner Model EW-1, in operation at No. 3415 Tibbet avenue, Borough of The Bronx, January 4, 1934.

The burner is of the pressure atomizing gun-type, operated by electric power, assembled in accordance with the description in the petition before the board:

A Janette electric motor, 1/6 H.P.; a Sirocco type fan manufactured by the Volcano Oil Burning Corp.; a strainer manufactured by the Cuno Engineering Corp.; a Tuthill pump; Webster transformer of 10,000 volts output; a Monarch regulating and cut-off valve of the piston type and Monarch nozzle of 2 gallon per hour capacity. Pump and fan are mounted on the same shaft.

Controls: Minneapolis Honeywell Pressuretrol, type L-104-2 and a Protectorelay, type R-117-3.

Ignition: Electric.

MINUTES

Burner constructed to use No. 2 fuel oil.

Under test, cutting off the power while the burner was in operation, the fire was immediately extinguished with a slight amount of smoke resulting; the Protectorelay cut-off the power less than 91 seconds after the burner was started with no fuel oil supply; the electrodes produced a steady white arc at the fire end of the nozzle which showed very slight carbon deposits; all controls responded and operated in a safe and satisfactory manner. No evidence of a fire hazard appeared during the tests.

The approval of the burner, Model EW-1, is recommended for domestic and commercial use when installed in accordance with the requirements of the Fuel Oil Rules.

Model EW-1 was the only model tested.

and

WHEREAS, the applicant requested approval of Model E and this application was reopened by vote of the board May 11, 1937; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department, for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

This burner is of the pressure atomizing gun type and consists of the following assembly:

Marathon $\frac{1}{8}$ H.P. motor; Webster fuel unit consisting of pump, strainer and regulating valve; a Sirocco type fan manufactured by Champion Blower Company; a Monarch nozzle with a capacity of from 1.35 to 2 gallons per hour.

Ignition—Electric, Webster transformer 110 to 10,000 volts.

Controls—Minneapolis Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404. This burner was designed to use Nos. 1, 2 and 3 commercial grades of fuel oil.

With the oil supply shut off and a cold combustion chamber, the burner was operated and on two successive tests the controls functioned and shut the burner down in 90 and 92 seconds respectively. The burner was then put into normal operation for approximately one hour, and during this period there were no flare backs due to faulty ignition. The flame was clean and free of soot and smoke. Examination of the electrodes and combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Volcano Automatic Oil Burner, Model E, be approved for domestic and commercial installations, when installed in accordance with the Oil Burner Rules adopted and for fuel oil not heavier than No. 3 U. S. Dept. of Commerce Standards; and

WHEREAS, this burner was approved, as to Model E, May 20, 1934 and as to Models EW-1, EW-1-S and EW-2, and owner requested permission to market the burner under the name Quiet Flame..

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Volcano Automatic Oil Burner, Model EW-1, EW-1-S and EW-2, for use in domestic and commercial installations with fuel oil not heavier than No. 2 and installed in accordance with the above report, and Model E, for use in domestic and commercial installations with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards, when installed in accordance with the above report, and that there shall be permanently attached to each burner installed a label reading:

Approved by the
Board of Standards and Appeals for Use in New York City.
Under Cal. No. 341-33-SA.

Resolved further, that this burner may also be marketed under the name Quiet Flame Oil Burner, Models E, EW-1, EW-1-S and EW-2, on condition that under whichever

name marketed, the requirements of this resolution shall be complied with.

234-37-SA.

APPLICANT—Volcano Burner Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment re additional name of "Quiet Flame Oil Burner"—re Volcano Automatic Oil Burner, Models D, H and K, previously approved.

APPEARANCES—

For Applicant: Ernest Charwat.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(234-37-SA)

WHEREAS, the Volcano Burner Corporation, owner, filed May 21, 1937, an application with the Board of Standards and Appeals for approval of their device known as the Volcano Automatic Oil Burner, Models D, H and K; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

These oil burners are of the pressure atomizing gun type and consist of the following assembly:

Model D—Marathon $\frac{1}{8}$ H. P. motor; Webster unit consisting of pump, strainer and regulating valve; Sirocco type fan 5" x 4", manufactured by the Champion Blower Company; Monarch nozzle, capacity 1.35 to 2 gallons.

Ignition—Electric—Webster transformer 110 to 10,000 volts.

Controls—Minneapolis Honeywell Pressuretrol L-404, and Protecto-Relay R-117-3.

Model H—This model is identical with the above mentioned model with the exception that it has a $\frac{1}{6}$ H.P. motor fan 6" x 4", has a capacity of from 2 to 8 gallons per hour.

Model K—Is identical with Model D, with the exception that it has a $\frac{1}{3}$ H.P. motor; fan 5" x 9", has a capacity up to 20 gallons per hour.

Controls on Models K and H are the standard Minneapolis Honeywell controls, namely Pressuretrol L-404 and Protecto-Relay R-117-s.

The three burners were set up for test. The test was on the Model D. With a cold combustion chamber and the oil supply shut off, on two successive tests the controls functioned and shut the burner down in 96 and 98 seconds respectively. The burner was then put into normal operation for a period of approximately one hour. During the period of test there were no flare backs due to faulty ignition, and examination of the combustion chamber and electrodes showed no undue carbon deposits. Models D, H and K are designed for use of 1, 2 and 3 commercial grades of fuel oil.

As a result of this inspection and test it is recommended that the Volcano Automatic Oil Burner, Models D, H and K be approved for domestic and commercial installations, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals and when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards.

and

WHEREAS, this burner was approved July 7, 1937 and owner requested permission to market the burner under

MINUTES

the name Quiet Flame Oil Burner, Models D, H and K.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Volcano Automatic Oil Burner, Models D, H and K, for domestic and commercial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards *on condition* that there shall be permanently attached to each burner installed a label reading:

Approved by the

BOARD OF STANDARDS AND APPEALS

For Use in New York City

UNDER CAL. NO. 234-37-SA.

Resolved further, that this burner may also be marketed under the name Quiet Flame Oil Burner, Models D, H and K, *on condition* that under whichever name marketed, the requirements of this resolution shall be complied with.

265-37-SA.

APPLICANT—Radiant Utilities Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re additional name of "Navy Oil Burner"—re Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G, previously approved.

APPEARANCES—

For Applicant: J. Goldberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(265-37-SA)

WHEREAS, the Radiant Utilities Corporation, owner, filed June 7, 1937, an application with the Board of Standards and Appeals for approval of their device known as the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles, was substantially as follows:

For the purpose of test, the Model 1G was selected. All these models are of the pressure atomizing gun type and the Model 1G consists of the following assembly: Leland 1/6 H.P. motor; Webster Fuel Unit consisting of pump, strainer and regulating valve; Sirocco type fan and a Monarch nozzle of a capacity of 1.35 to 2½ gallons per hour.

Controls—Minneapolis Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404.

Ignition—Electro. Webster transformer 110 to 10,000 volts. All other models are the same as above, with the following exception:

Model 2G has a capacity of from 2 to 3½ gallons per hour, and the fan is 5 in. x 3 in., the same as the Model 1G.

Model 3G has a 1/6 H.P. Motor. Capacity of 3 to 10 gallons per hour, and the fan is 7½ in. x 4 in.

Model 4G is identical with the Model 3G with the exception that the capacity is from 5 to 10 gallons.

Model 5G has a ¼ H.P. Motor, Fan 5 in. x 8 in. and a capacity of from 5 to 14 gallons per hour.

The parts and operation of all these burners were examined. The burner under test, Model 1G, was operated with a cold combustion chamber, and on two successive tests the controls operated and shut the

burner down in 90 and 92 seconds respectively. The same controls are used throughout on all five models.

The burner 1G was then put into normal operation for a period of one hour. During the period of test there were no flare backs due to faulty ignition. The controls functioned as designed, and examination of the electrodes and combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G be approved for domestic and commercial installations when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards.

and

WHEREAS, this device was approved by the board June 29, 1937, on certain conditions and resolution amended October 26, 1937 and September 19, 1939, to include the name Henjes Oil Burner and Lektro-matic Oil Burner, Arrow, Nu-Way, Heat and Power, Ameco and American Oilsaver Special, Models 1G, 2G, 3G, 4G and 5G and applicant requests permission to market the burner, under the name, Selectrol.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G for domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards *on condition* that there shall be permanently attached to each burner installed a label reading:

Approved by the

BOARD OF STANDARDS AND APPEALS

For Use in New York City

UNDER CAL. NO. 265-37-SA.

Resolved further, that the burner may also be marketed under the names Henjes Oil Burner, Lektro-matic Oil Burner, Arrow Oil Burner, Nu-Way Oil Burner, Heat and Power Oil Burner, Ameco Oil Burner, *American Oilsaver Special* and Selectrol each with Models 1G, 2G, 3G, 4G and 5G on condition, that under whichever name marketed, the burner shall comply with all the requirements of this resolution.

293-37-SA.

APPLICANT—Conran Standpipe Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Conran System of Standpipes.

APPEARANCES—

For Applicant: W. F. Conran.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(293-37-SA)

WHEREAS, Conran Standpipe Co., Inc., owner, filed June 16, 1937 an application with the Board of Standards and Appeals for approval of their system known as the Conran Standpipe System; and

WHEREAS, this system was referred to the engineer of the Board for test and report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

The system is intended to be installed inside buildings, to be supplied with water from tanks or pumps, from street mains, or by means of fire department hose lines. In different installations, water may be supplied

MINUTES

to each standpipe through a connection at the control box or through the hydraulic lift cylinder. The standpipes may be normally empty or may be kept in connection with a source of water supply under pressure. The apparatus is designed primarily for fire department use, but may be operated by the occupants of the building where it is installed.

OPERATION

Water is admitted to the standpipe if it is not already in direct connection with a source of supply. If a stream is desired at any story, the proper control valve at the control box is opened and water enters the operating chamber of the nozzle valve on that story, opening the valve and permitting water to flow from the nozzle. The standpipe is rotated manually by means of the turning bars to point the nozzle in the desired direction. The necessary upward and downward motion of the standpipe and nozzle is produced by the adjustment of the control valve governing the admission of pressure to the hydraulic lift cylinder.

OPERATING TEST

In the operating tests of the standpipe, the standpipe responded positively and promptly, and was raised, lowered and rotated without difficulty. It was repeatedly started, stopped and held in various positions by the adjustments of the control valves. Possible obstructions to the movement of the standpipes, such as warping by heat at the time of fire, piling of stock around the standpipe, corrosion of parts, etc., are not likely to have any serious effect on the positiveness or promptness with which the standpipe can be operated.

The results of the test show that a hose stream from an engine or fire tower is not able to compare with the stream from the Conran System because a stream from this system will cover the entire floor, while the hose stream from engine or fire tower to the angle of elevation will cover less and less area as this angle is raised.

A complete description of the device is filed with this board under underwriter's report, but the following should be noted: The composition of metal used for the nozzle valves is 85% copper, 5% tin, 5% zinc and 5% lead. Brass line for hydraulic lift is $\frac{1}{8}$ inch thick, outside pipe for hydraulic lift to comply with section 16-4-1 and fittings should comply with section 16.4.2.

This system has been approved by the Underwriter's Laboratories Guide No. 2390, Lab. file EX 299.

It is recommended that the Conran System of Standpipes hydraulically and manually operated inside, dry or wet, designed to discharge water from $1\frac{1}{8}$ in. to $1\frac{1}{4}$ in. nozzles in any desired story of a building with vertically and rotating motion, with hydraulic lift cylinders, hydraulically operated nozzle valves at each story, control boxes at 1st story and the attachments and connections for water supplies for four and six inch standpipes with horizontal range not exceeding 100 feet properly located, having flat ceilings, free from obstruction, materially affecting discharge of water, be approved.

and

WHEREAS, the board has power under section 666 of the Charter of the City of New York and under section 16.11 of the building code to approve appliances and standpipe systems; and

WHEREAS, this application was granted February 1, 1938 and applicant requested an amendment of the report and resolution.

Resolved, that the report of committee and resolution adopted by the Board on February 1, 1938, be and it hereby is amended, so that as amended the resolution will read:

"Resolved, that the Board of Standards and Appeals does hereby approve the Conran Standpipe system for use in buildings not exceeding 150 feet in height for the 4 in. standpipe and in buildings over 150 feet in height for the 6 inch standpipe on condition that the standpipe shall be constructed and installed in accordance

with the above report and the report of the Underwriters Laboratories Guide No. 2390, Laboratories file No. EX 299 and when installed and maintained in compliance with all other provisions of Sect. C-26-1387-0 (16.2.2.) *Adm. Building Code* and Sect. C-26-1383.0 (16.1.3) *Adm. Building Code* as to material, on condition that prior to any permit being issued a report from the fire commissioner shall be filed with such application to the effect that the facilities of the fire department are adequate to supply water with sufficient pressure at the highest outlet. That for any installations in any building over 15 stories in height, in addition to the above requirements, plans shall be submitted to the board for approval before submission to the superintendent and that any system installed shall have a label permanently affixed at the main control reading:

APPROVED BY THE BOARD OF STANDARDS
AND APPEALS FOR USE IN NEW YORK
CITY UNDER CAL. No. 293-37-SA

Resolved, further that devices, valves and fittings used in this system are hereby approved under the provisions of section C-26-1383.0 (16.1.3) *Adm. Building Code*, provided they are in accordance with the report of the underwriter's laboratories above referred to."

559-38-SA.

APPLICANT—Radiant Utilities Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re additional name of "Navy Oil Burner"—re Radiant Oil Burner, Model 2 $\frac{1}{2}$ M previously approved.

APPEARANCES—

For Applicant: J. Goldberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4

THE RESOLUTION—

(559-38-SA)

WHEREAS, Radiant Utilities Corporation, owner, filed June 30, 1938, an application with the Board of Standards and Appeals for approval of the device known as Radiant Oil Burner, Model 2 $\frac{1}{2}$ M; and

WHEREAS, this device was submitted to the Engineer of the board for test and report; and

WHEREAS, the report of Engineer, supplemented by that of the Division of Combustibles of the Fire Department, was substantially as follows:

This burner was installed in a steam boiler for domestic heating. The burner is of the pressure atomizing gun type, consisting of the following assembly: G. E. $\frac{1}{6}$ H.P. Motor; Webster fuel unit, consisting of pump, regulating valve, strainer, Sirocco type fan and a Balloffet nozzle.

Ignition—Electric. Webster transformer, 110 to 10,000 volts.

Controls—Standard Minneapolis Honeywell controls, consisting of Protecto-Relay R-117 and Pressuretrol L-404.

With the oil supply shut off and a cold, combustion chamber, the burner was put into operation, and on two successive tests the controls functioned and shut the burner down in 42 and 44 seconds respectively. The burner was then put into normal operation, and all controls functioned as designed. During the period of test there were no flare backs due to faulty ignition, and examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is, therefore, recommended that the Radiant Oil Burner, Model

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2½M, be approved for domestic and commercial use, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards.

and

WHEREAS, this appliance was approved by the board July 22, 1938, resolution amended April 11, 1939, to include additional names and September 19, 1939, applicant requests inclusion of name Selectrol.

Resolved, that the resolution adopted by the board on July 22, 1938, as amended by resolution adopted April 11, 1939, be and it hereby is further amended, only so far as it has reference to the names under which this burner may be marketed, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Radiant Oil Burner, Model 2½M, for use in domestic and commercial installations with fuel oil not heavier than No. 3, U. S. Department of Commerce standards, when installed and operated in accordance with the above report and with the Oil Burner Rules of the Board of Standards and Appeals, on condition that the burner shall have a label permanently affixed thereto reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. NO. 559-38-SA.

Resolved further, that the burner may also be marketed under the names Arrow Oil Burner, Lectromatic Oil Burner, Nu-Way Oil Burner, Heat and Power Oil Burner, Ameco Oil Burner, American Oilsaver Special Oil Burner and Selectrol, Model 2½M, on condition that under whichever name marketed, the burner shall comply with all the requirements of this amended resolution."

56-39-SA.

APPLICANT—Willis M. Staubus, for Willis M. Staubus and Louis Katz, owners.

SUBJECT—Application for reopening — amendment of resolution—Heat Master Oil Burner.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(56-39-SA)

WHEREAS, Willis M. Staubus, for Willis M. Staubus and Louis Katz, owners, filed January 16, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Heat Master Oil Burner; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 56-39-SA.

Subject: Heat Master Oil Burner,

Approval of.

May 22, 1939

Willis M. Staubus for Willis M. Staubus and Louis Katz, owners, filed January 16, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Heat Master Oil Burner. This burner can be described as follows:

Assembly: The plans submitted show the oil burner assembly consists of the following: Cast iron circular disc in which there is a plurality of elongated curb

nozzles having tapered outer walls. In the center of this disc there approaches downwardly a cup or barrel to a depth of about 4". Located in this barrel is a nozzle of the burner over which there are located two electrodes to furnish ignition. Into the base of this barrel there are inlets provided for compressed air generated by a separate air compressor motor unit. The principle of operating being that the oil is admitted to the nozzle through a small orifice by gravity, the air surging up around same carries the oil vapors above the circular disc in an ignited form. A secondary air is conducted by means of a sheet metal duct attached to the coaling door of the boiler.

Controls: A Detroit Lubricator Series D-371 Constant Level valve located at the tank; Detroit Lubricator Solenoid valve; Protecto-Relay R117-3 and a Pressuretrol L-404, manufactured by the Minneapolis Honeywell Company; an air and oil interlocking device known as the Mercoid Air Switch connected between oil and air supply lines.

Compressor: An air compressor manufactured by Chieftain Compressor Company with a maximum of 60 pounds, equipped with a safety valve set at this pressure.

Ignition: Electric — Webster transformer 110 to 10,000 volts. The burner was operated and tested and during the period of test all controls on the burner functioned as designed.

As a result of this inspection and test, it is recommended that the Heat Master Oil Burner be approved for industrial use only, in its present form. It is not believed that it should be approved for commercial or domestic use, due to the fact that the burner is not an assembled whole, and no protection has been provided for the moving parts of motor and compressor. The approval is recommended on condition that the appliance bear a label permanently affixed thereto reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 56-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance under certain conditions; and

WHEREAS, this burner was approved by the Board May 23, 1939, on certain conditions and applicant requested a reexamination of the Burner and approval for domestic and commercial installations, the burner having been improved; and

WHEREAS, this request for reexamination was submitted to the committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

November 6, 1939

Cal. No. 56-39-SA

Subject: Amendment of Resolution
adopted May 23, 1939, approving
the Heatmaster Oil Burner.

The Heat Master Oil Burner was approved by the Board May 23, 1939 for industrial use only. Request has been made by the owner for approval for domestic and commercial use also, the burner having been reconstructed.

A committee visited premises 624 Ashford Street, Brooklyn, for the purpose of examining and testing the above mentioned burner as now installed for domestic and commercial use.

This report is supplementary to the report of May 22, 1939, in which a full description of the operation of the burner is given.

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All parts of the burner have been assembled upon a cast iron base and the whole assembly then covered with a heavy sheet metal cover, which is designed to prevent any tampering with this burner.

As a result of this inspection, it is recommended that the Heat Master Oil Burner be approved, as now assembled, for domestic and commercial use.

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

Resolved, that the resolution adopted by the board May 23, 1939 be amended so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as Heat Master Oil Burner, for *domestic, commercial* and industrial installation, with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards, *on condition* that the appliance be manufactured, installed, operated and labeled in accordance with above reports."

346-39-SA.

APPLICANT—John G. Kelly, Inc., for Watts Regulator Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution as to additional sizes—re Watts Vacuum Breaker, No. 88, previously approved.

APPEARANCES—

For Applicant: W. Aube.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(346-39-SA)

WHEREAS, John G. Kelly, Inc., for The Watts Regulator Company, owner, filed March 20, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Watts Vacuum Breaker, No. 88; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

May 15, 1939.

Cal. No. 346-39-SA.

Approval of Watts Vacuum Breaker, No. 88.

John G. Kelly, Inc., for The Watts Regulator Company, owner, filed March 20, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Watts Vacuum Breaker, No. 88, under the provision of C26-1277.0 (14.8.2.8) Administrative Building Code and the Rules of the Board.

The unit was subjected to vacuum test April 19, 1939 at the testing bench of the Dept. of Water Supply, Gas and Electricity at 32 Vandewater Street.

The unit which is designed as a vacuum breaker for general use, was subjected to a vacuum the equivalent of 26 inches of mercury which only caused a rise of simulated contaminated water $1\frac{3}{4}$ inches above the overflow level of the vessel containing the water into which the submerged inlet was introduced. Several vacuum tests failed to show any difference in the elevation of the contaminated water and the unit functioned properly without leakage in the 5 pound minimum operating pressure test.

The mechanical principle of the unit is that the waterway is throated on both inlet and outlet of the 90° elbow formation with a circular brass disc with rubber seat rising vertically under internal pressure conditions to close airport openings at the top of the vent.

The above tests indicate that the Watts Vacuum Breaker No. 88, warrants approval for general use under the requirements of C26-1277.0 (14.8.2.8) Administrative Building Code.

The report of the Dept. of Water Supply, Gas and Electricity, dated May 9, 1939 is a part of the record in this application. It is recommended that the Watts Vacuum Breaker, No. 88, $\frac{3}{8}$, $\frac{1}{2}$ and $\frac{3}{4}$ inch diameter, be approved for use in New York City, on condition that each appliance be stamped, labelled or marked: "Approved for use in New York City by the Board of Standards and Appeals, under Cal. No. 346-39-SA", or in lieu thereof, a die or stamp be made (and stamped or labelled on article, container, bag, box, bundle or cask) bearing the following inscription within a circle: around the periphery, at the top, the word APP'VD., along the bottom: B. S. & A., in the center, two lines, UPPER line reading N. Y. C., LOWER line reading Cal. 346-39-SA.

and

Whereas, this appliance was approved by the board May 16, 1939 and applicant requested an amendment of the report and resolution as to sizes.

Resolved, that the report of committee and resolution adopted by the board on May 16, 1939, be and it hereby is *amended*, so that the report will read as above and that the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as Watts Vacuum Breaker, No. 88, $\frac{3}{8}$, $\frac{1}{2}$ and $\frac{3}{4}$ inch in diameter, *on condition* that the appliance be manufactured, installed and labelled, stamped or tagged in accordance with above report."

974-39-SA.

APPLICANT—S. F. Bowser and Company, Inc., owner.

SUBJECT — Bowser "Reel Way" Gasoline Pump with Hose Reel Attachment, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(974-39-SA)

WHEREAS, S. F. Bowser and Company, Inc., owner, filed July 18, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Bowser "Reel Way" Gasoline Pump with Hose Reel Attachment; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 974-39-SA

Subject: Bowser "Reel Way" Gasoline Pump with Hose Reel Attachment—approval of.

S. F. Bowser and Company, Inc., owner, filed July 18, 1939, an application with the Board of Standards and Appeals for approval of the Bowser "Reel Way" Gasoline Pump with Reel Way Hose Reel Attachment under the provisions of Section C19-69.0 and C19-70.0 Administrative Code.

Inspection of this appliance was made at premises 155 East 44th Street, Manhattan. This gasoline dis-

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dispensing pump, known as the Bowser "Reel Way" Pump, is used for dispensing gasoline at oil selling stations, garages and private filling stations, or in other occupancies in which an improved type pump is required for the dispensing of gasoline or other volatile inflammable oil.

The pump is equipped with a dial which shows the amount of gasoline purchased and the amount of gasoline delivered.

Air Separator and Regulating Valve—Self-contained air separator which eliminates air from the gasoline before measurement. This unit working in conjunction with the regulating valve, insures accurate measurement. Regulating valve also regulates flow of gasoline and maintains safe working pressure throughout system.

Pumping Unit—High vacuum, rotary gear type pumping unit. Simple and compact. Only two moving parts. The impellers are constructed of non-sparking metals.

Motor—1/3 H.P., 110-220 volt, single phase, 60 cycle Leland Thermoguard. A.C. Motor, enclosed in a vapor and explosion-proof housing, is furnished as standard equipment.

Frame Construction—Chassis frame of structural steel is electrically welded and bolted to form one unit of metal giving exceptional strength, does not loosen, twist or stretch. Strongest possible construction. Supporting brackets of iron and steel are bolted and case hardened steel bolts for maximum rigidity.

Nozzle Valve—The speed and volume of gasoline delivered are controlled by the nozzle valve. It reduces or stops flow at any time desired. Valve is operated by a self-closing control level on nozzle. Equipped with a Bowser special solid brass nozzle tube for inserting in the tank opening. A check valve in the discharge end of the nozzle prevents the liquid from being drained from the hose when the pump motor is not in operation.

Electric Light Switch Assembly—All wires are run in conduit and all switch boxes, receptacle boxes and connection boxes are explosion-proof and vapor-proof. All wires are sealed in light switch assembly with sealing compound, so that complete assembly is explosion-proof and vapor-proof. All conduit, conduit fittings, switch boxes, receptacle boxes and connection boxes, as well as wires, have been approved by Underwriters Laboratories, Inc.

Locking Device—Nozzle is padlocked to combination hose hook and switch control lever. Pump cannot be operated when nozzle has been locked.

Speed — Rate of flow controlled entirely at hose nozzle valve. Maximum delivery speed on normal installations approximately 15 gallons per minute.

Discharge Outlet—One outlet 11 in. above base of pump permits delivery on either side.

Hose—3/4 in. by 9 ft. long hose with 1 in. male taper pipe thread couplings on both ends. Must be approved by Underwriters Laboratories.

Suction Pipe Connection—The suction pipe connected is 1 1/2 in. located 14 3/4 in. above the base, equipped with a brass-seated union.

Hose Reel—A self-winding ball thrust bearing reel.

Operation of Pump—Remove hose nozzle from nozzle rest and pull hose away from pump, unwinding the hose reel. The unwinding of the hose reel, through a friction clutch arrangement mounted on the hose reel and a series of levers, moves the motor switch to the "on" position, and the motor starts. By releasing the hose, the rewinding of the hose reel through the friction clutch arrangement and the series of levers, moves the motor switch to the "off" position. Regardless of the length of hose withdrawn from the pump beyond the original distance required to start the motor, the clutch arrangement will move the motor switch to the "off" position immediately when the hose is released

towards the pump. In other words, it is not necessary to permit the hose to rewind the original starting position in order that the motor switch be moved to the "off" position.

Accordingly, if for any reason, the hose should become disconnected from the hose reel while dispensing gasoline, or merely with the hose extended, but not dispensing gasoline, the motor switch will be turned off and the electric motor will cease to operate when the hose reel starts to rewind due to the action of the .050 thick 1 in. wide high carbon tempered steel spring in the hose reel.

As a result of this inspection and test, it is recommended that the Bowser "Reel Way" Gasoline Pump be approved for use in New York City, on condition that the pump bear a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 974-39-SA."

(Sgd) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

and

WHEREAS, this report was supplemented by a report of the Division of Combustibles, Fire Department, which report is a part of the records in this application.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Bowser "Reel Way" Gasoline Pump with Hose Reel Attachment, on condition that the appliance be manufactured, installed, operated and labelled in accordance with above report.

1068-39-SA.

APPLICANT—Dumbwaiter Shur-Lock Co., owner.

SUBJECT—Dumbwaiter Shur Lock, approval of.

APPEARANCES—

For Applicant: Harry Wackx.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4 0

THE RESOLUTION—

(1068-39-SA)

WHEREAS, The Dumbwaiter Shur-Lock Co., owner filed August 25, 1939, an application with the Board of Standards and Appeals for approval of the appliance, known as the Dumbwaiter Shur-Lock; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 1068-39-SA

Subject: Dumbwaiter Shur-Lock, approval of.

The Dumbwaiter Shur-Lock Co. of New York, owner, filed August 25, 1939, an application for approval of the Dumbwaiter Shur-Lock, under the provision of C.26.191.0 (2.2.3) Administrative Building Code and Section 51, Multiple Dwelling Law.

The lock is a fully enclosed mechanism mounted on the door frame of the dumbwaiter having one free moving part, a ratchet with three teeth that engages a hook mounted on the door of the dumbwaiter shaft which is made self-closing. The ratchet is so designed that it allows for maximum play for engagement with the hook, which being gravity operated is self-adjusting and therefore independent of other locks in the line. The three teeth allow for engagement if the doors warp and do not close tightly.

The lock levers are attached to a cable that is held at the top of the shaft on a spring, and connected to a

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handle at the bottom of the shaft, so that only by pulling the handle at the bottom of the shaft, can the ratchets be disengaged, thereby opening the locks and allowing for deliveries, etc. on the dumbwaiter; but lock again upon release or closing dumbwaiter door.

A key lever is built into the mechanism at the bottom of shaft to enable the person in charge to maintain the unlocked position of the handle for convenience while collecting garbage, etc.; immediately upon removal of the key the spring automatically holds the levers and handle in the locked position.

The Committee tested the mechanism in operation and found it to operate satisfactorily.

It is recommended that the Dumbwaiter Shur-Lock be approved for installation in New York City on condition that the appliance bear a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 1068-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Dumbwaiter Shur-Lock, on condition that the appliance be manufactured, installed, operated and labelled in accordance with above report.

1326-39-SA.

APPLICANT—Tokheim Oil Tank and Pump Company,
owner.

SUBJECT—Tokheim Model 39-HR Computer Pump with
Hose Reel and Tokheim Model 39-DP-HR Clock
Dial Pump with Hose Reel, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance
with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commission-
ers Savage and Blum and Assistant Chief
Walsh 4
Negative 0

THE RESOLUTION—

(1326-39-SA)

WHEREAS, The Tokheim Pump and Tank Company,
owner, filed October 26, 1939, an application with the Board
of Standards and Appeals for approval of the appliances
known as the Tokheim Model 39-HR Computer Pump with
Hose Reel and Tokheim Model 39-DP-HR Clock Dial
Pump with Hose Reel; and

WHEREAS, these appliances were submitted to the com-
mittee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. 1326-39-SA.

Subject: Tokheim Model 39-HR Computer Pump with
Hose Reel and Tokheim Model 39-DP-HR
Clock Dial Pump with Hose Reel, approval of.

The Tokheim Tank and Pump Company, owner, filed
October 26, 1939, an application with the Board of
Standards and Appeals for approval of the Tokheim
Model 39-HR computer Pump with Hose Reel and
Tokheim Model 39-DP-HR Clock Dial Pump with
Hose Reel, under the provisions of C.19-69.0 and C.19-
70.0 Administration Code.

These appliances were inspected and tested at 155
East 44th street, New York City, November 3, 1939.

These appliances are gasoline dispensing pumps in
two models.

These models—39-HR and 39-DP-HR—are con-
structed identically the same, with the exception that
the Model 39-HR has a gas computing dial on it, along
with a measuring dial.

Each model is equipped with a bell which signals
each gallon delivered. A dial flow gauge protrudes
through the dial on each side of the pump, visibly indi-
cating the flow of gasoline.

Air Separator and Regulating Valve—Self-contained
air separator, which eliminates air from the gasoline
before measurement. This unit, working in conjunc-
tion with the regulating valve, insures accurate meas-
urement. Regulating valve also regulates flow of
gasoline and maintains safe working pressure through-
out system.

Pumping Unit—High vacuum, rotary gear type pump-
ing unit. Simple and compact. Only two moving
parts. A by-pass valve built integral with the pump
permits motor and pump to operate when nozzle valve
is closed.

Motor— $\frac{1}{4}$ H.P., 110/220 Volt, Single Phase, 60
cycle Westinghouse "Thermoguard" A.C. Motor, en-
closed in a vapor and explosion-proof housing is fur-
nished as standard equipment. Equipped with device
for changing from 110 to 220 volt circuit without
change of wiring connections. Power switch is an
integral part of motor. Similar type motors with char-
acteristics other than standard are furnish when re-
quired.

Frame Construction—Chassis frame of structural
steel is electrically welded and bolted to form one
unit of metal giving exceptional strength. Does not
loosen, twist or stretch. Strongest possible construc-
tion. Supporting brackets of iron and steel are bolted
with case hardened steel bolts for maximum rigidity.

Nozzle Valve—The speed and volume of gasoline
delivered are controlled by the nozzle valve. It re-
duces or stops flow at any time desired. Valve is
operated by a self-closing.

Electric Light Switch Assembly—All wires were run
in conduit and all switch boxes, receptacle boxes and
connection boxes are explosion-proof and vapor-proof.
All wires are sealed in light switch assembly with seal-
ing compound, so that complete assembly is explosion-
proof and vapor-proof. All conduit, conduit fittings,
switch boxes, receptacle boxes and connection boxes,
as well as wires, have been approved by Underwriters
Laboratories, Inc.

Locking Device—Nozzle Is Padlocked to combina-
tion hose hook and switch control lever. Pump cannot
be operated when nozzle has been locked.

Speed—Rate of flow controlled entirely at hose noz-
zle valve. Maximum delivery on normal installations
approximately 15 gallons per minute.

Discharge Outlet—One outlet 11 in. above base of
pump, permits delivery on either side.

Hose— $\frac{3}{4}$ in. x 14 ft. Long Hose with 1 in. Male
Taper Pipe Thread Couplings on both ends—Must be
approved by Underwriters Laboratories—Electric Hose
and Rubber Company's Hose marked "Delmar DB";
United States Rubber Products Company's Hose
marked "Peerless," or equal. Hose threads should be
thoroughly coated with shellac or gasoline resisting
cement before attaching.

Suction Pipe Connection—The suction pipe connected
is $1\frac{1}{2}$ in., located $14\frac{3}{4}$ in. above the base, equipped
with a brass-seated union.

Hose Reel—A self-winding ball thrust bearing reel.
Operation of Pump—Remove Hose Nozzle from Noz-
zle rest and pull hose away from pump, unwinding the
hose reel. The unwinding of the hose reel, through a
friction clutch arrangement mounted on the hose reel,
and a series of levers, moves the motor switch to the
"on" position, and the motor starts. By releasing the

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hose, the rewinding of the hose reel, through the friction clutch arrangement and the series of levers, moves the motor switch to the "off" position. Regardless of the length of hose withdrawn from the pump beyond the original distance required to start the motor, the clutch arrangement will move the motor switch to the "off" position immediately when the hose is released towards the pump. In other words, it is not necessary to permit the hose to rewind the original starting position in order that the motor switch be moved to the "off" position.

Accordingly, if for any reason the hose should become disconnected from the hose reel while dispensing gasoline—or merely with the hose extended but not dispensing gasoline—the motor switch will be turned "off" and the electric motor will cease to operate when the hose reel starts to rewind due to the action of the .050 thick—1 in. wide—high carbon tempered steel spring in the hose reel.

As a result of this inspection and test, it is recommended that the Tokheim Gasoline Pumps, Models 39-HR and 39-DP-HR with Hose Reel, be approved for use in New York City, on condition that the pumps have a label permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1326-39-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of these appliances.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliances known as the Tokheim Model 39-HR Computer Pump with Hose Reel and 39-DP-HR Clock Dial Pump with Hose Reel, *on condition* that the appliances be manufactured, installed, operated and labelled in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL 569-38-SM.

APPLICANT—Laclede Steel Company, owner.
SUBJECT—Laclede Open Web Steel Joists, approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

388-38-SM.

APPLICANT—Jiffy Manufacturing Company, owner.
SUBJECT—Approval of Jiffy Blanket House Insulation, manufactured by Jiffy Manufacturing Company.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(388-38-SM)

WHEREAS, Jiffy Manufacturing Company owner, filed May 19, 1938, an application with the Board of Standards

and Appeals for approval of the material known as Jiffy Blanket House Installation; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 388-38-SM

Subject: Jiffy Blanket House Insulation, approval of.

The Jiffy Manufacturing Company of 360 Florence Avenue, Hillside, N. J., owner, filed May 19, 1938, an application with the Board of Standards and Appeals for Approval of the material known as Jiffy Blanket House Insulation under the provisions of C26-191.0 (22.1) and C26-242.0 (3.2.4) Administrative Building Code.

This material is constructed of heavy Northern Kraft paper treated with a fireproofing chemical, this paper is then coated with asphalt to make it waterproof and bind the two outer sheets together. The sheets are filled in between with a mixture of 867 macerated air drifted newspaper and 14% powdered asbestos. The process of manufacture deposits the powdered asbestos on the paper rendering it fire resistant. Tests made by Prof. Wilkes of the Massachusetts Institute of Technology on a frame wall insulated with one layer of single thickness Jiffy Blanket House Insulation indicated 7/16" thick, tacked to middle of stud, a coefficient of heat transmission in BTU per hr. per sq. ft. per degree Fahrenheit as 0.135, with one single and one double blanket (7/8" thick) placed so as to leave an air space on each side of blanket, 0.10.

With 2 blankets each 5/8" thick placed so as to leave 3 air spaces 0.109.

These figures however indicate special conditions not met in actual building construction as the specifications call for pressing the blanket between studs and nailing selvage edge to studs every 6 or 8 inches with Rock lath or plaster nails.

It is recommended that the Jiffy Blanket House Insulation be approved for voluntary use in Class 4 (wood frame) construction when manufactured and applied as specified in this report, on condition that each blanket be marked, labelled or tagged, "Approved by the Board of Standards and Appeals for use in Class 4 construction under Cal. No. 388-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Jiffy Blanket House Insulation, *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

964-39-SM.

APPLICANT—Tyne Company, owner.
SUBJECT—Tyne Company Semi-Rigid Gas Range Connectors, approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

MINUTES

THE RESOLUTION—

(964-39-SM)

WHEREAS, The Tyne Company, owner, filed July 17, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Tyne Company Semi-Rigid Gas Connectors; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

November 4, 1939

Cal. 964-39-SM

Subject: Tyne Company Semi-Rigid Gas Range Connection—approval of.

The Tyne Company 3212-40 W. Fillmore Street, Chicago, Ill. owner, filed July 17, 1939, an application with the Board of Standards and Appeals for approval of the Tyne Company Semi-Rigid Gas Connectors, under the provision of C20-1323.0 (14.13.1) C26-1327.0 (14.13.5) Administrative Building Code.

The Tyne Company Semi-Rigid gas connector consists of $\frac{3}{8}$ " OD Aluminum tubing conforming to the A.S.T.M. Specification cut in various length, not exceeding 5 feet in multiples of 6 inches. The ends of each piece are flared so as to fit lightly over the bevelled end of a cast bronze elbow at one end of tube and a forged brass fitting at other end with tightening nuts of forged brass.

The inside diameter of tubing is .525 inches so as to give an adequate volumetric flow of gas.

The Tyne Company Semi-Rigid Gas Range Connection has been approved by the American Gas Association, Inc. No. H-26-011 dated February 6, 1939.

It is recommended that the Tyne Company Semi-Rigid Gas Range Connection be approved for use in New York City, on condition that the material bear a label reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 964-39-SM, or in lieu thereof, a die or stamp with raised legible letters on the tube and fittings reading, within a circle around the periphery at the top the word, "App'vd" along the bottom "B. S. & A." in the centre 2 lines, the upper line reading "N.Y.C." the lower line reading "964-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Tyne Company Semi-Rigid Gas Connectors, *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

1224-39-SM.

APPLICANT—Sloan Valve Company owner.

SUBJECT—Sloan V-100-A, Vacuum Breaker, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1224-39-SM)

WHEREAS, the Sloan Valve Company, owner, filed Octo-

ber 6, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Sloan V-100-A Vacuum Breaker; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

November 6, 1939

Cal. 1224-39-SM

Subject: Sloan B-100-A Vacuum Breaker, approval of.

J. A. Edwards and P. C. Platt, agents for the Sloan Valve Company of 4300 W. Lake Street, Chicago, owners, filed October 6, 1939, an application with the Board of Standards and Appeals for approval of the Sloan V-100-A Vacuum Breaker, under the provision of C26-1277.0 (14.8.2.8) Administrative Building Code.

The unit comprises a $1\frac{1}{2}$ inch O.D. heavy-wall brass tube less than 2 inches long, with a partition extending diagonally across the tube; a one inch water port through the partition and a one inch air port, having a raised seat, through the side of the tube opposite the water port, and a swinging valve which cooperates with both ports, counterbalanced to keep the air port open, except when flush valve is flushing. The diagonal partition, bracket and shaft on which the swinging valve is pivoted are of monel metal, and the valve is composed of moulded rubber for the air seat vulcanized to a brass insert for the water seat. The valve unit is inserted in the cast brass outlet portion of the flush valve (or in a separate cast brass fitting) tooled to receive same having air port in excess of one inch with a protection shield. The unit is held between sealing gaskets by a retaining ring.

The unit was tested at the bench of the Department of Water Supply, Gas and Electricity on October 15, 1939.

This unit, which is a vacuum breaker, to be used in conjunction with flush valves only, was subjected to two vacuum tests of the equivalent of $26\frac{1}{2}$ inches of mercury without permitting any rise of the simulated contaminated water from a flooded siphon jet water closet nor did any water rise when the unit was subjected to a duration vacuum test the equivalent of 23 inches of mercury for a period of 5 minutes.

Repeated floodings failed to develop any sign of water escaping at the air port.

On the basis of the tests, the Committee recommended that the Sloan Company Vacuum Breaker, V-100-A be approved for installation in New York City on condition that the material bear a label reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1224-39-SM" or in lieu thereof, a die or stamp with raised legible letters on the body of the vacuum breaker, reading within a circle around the periphery at the top, the word "App'd", along the bottom "B. S. & A" in the center, two lines—the upper line reading "N.Y.C." and the lower line reading "1224-39-SM"

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report, which is supplemented by a report of the Department of Water Supply, Gas and Electricity, which is a record in this application, recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Sloan V-100-A Vacuum Breaker, *on condition* that the material be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report.

MINUTES

1329-39-SM.

APPLICANT—Uvalde Rock Asphalt Company, owner.
SUBJECT—Azrock Carpet Tile Types W and C—approval of.

APPEARANCES—

For Applicant: H. A. Davis.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1329-39-SM)

WHEREAS, The Uvalde Rock Asphalt Company, owner, filed October 27, 1939, an application with the Board of Standards and Appeals for approval of the material known as Azrock Carpet Tile, Types W and C; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

November 4, 1939

Re: Calendar No. 1329-39-SM

Subject: Azrock Carpet Tiles, Types W and C, approval of.

The Uvalde Rock Asphalt Company of San Antonio, Texas filed on October 27, 1939 a request for the approval of their asphalt tile known as "Azrock Carpet Tile", under the provisions of C-26-178.0 (2.1.2.5) and C-26-667.0 Sub. 4 (10.9.2.4).

Azrock Carpet Tile, Type C (for concrete floors) and Type W (for wood floors) is made in sizes $\frac{1}{8}$ ", $\frac{3}{16}$ " and $\frac{1}{4}$ " in thickness and vary in designs and colors. The difference in Type C used on concrete floors and Type W for use over wood floors is in the fillers, the latter having fillers of higher tensile strength and slightly longer, both fillers, however, being of cotton and asbestos.

In the manufacture of these tiles, Limestone Rock Asphalt and Gilsonite are the basic materials. To these materials are added filler as before mentioned with pigments to procure desired colors. The tiles are formed by first mixing thoroughly in a Bambury Mixer, after which they pass through a series of rolls which produce the desired thickness, after which it is cut to the required shape.

For cementing to concrete floors, an approved asphalt emulsion is used which becomes tacky in from twenty to forty minutes and this is made level by use of a notched trowel. Below grade of street, an asphalt primer is used so as to increase the penetration of the asphalt into the concrete sub-floor. Such primer shall comply with Federal Specification SS-A-701. Where an alkali condition exists on the concrete floors, it is corrected by neutralizing with a 10% solution of acetic acid.

When used over wood sub-floors, a thirty-pound

asphalt saturated felt is secured to the sub-floor by a linoleum cement, which relieves the tile of irregular movements caused by expanding and contracting wood sub-floors. An emulsion as described above for concrete floors is then applied.

Tests on this material were performed by Columbia University, Report No. 2450. On a concrete slab thirty-six samples of 9" x 9" x $\frac{3}{16}$ " tile were laid and tests conducted on same to observe its behavior when exposed to fire, resistance to alkali and to its resistance to sustaining and penetration to aqueous solutions. Results of fire tests conducted for a period of forty minutes, indicated the tile to be softened over an area of 16 inches in diameter, with charring over an area of 10" x 14", with flaming over an area of 9" x 6", ceasing twelve minutes after test started and with no flaming thereafter.

The Alkali test indicated a slight softening of the tile, which later hardened after drying. When a solution of saturated alkaline blue was applied to the surface, it resulted in a slight stain on the surface with no penetration.

Existing installations of "Azrock Carpet Tile" in use over a period of nine years show no warping, shrinkage, staining or disintegration.

On the basis of the foregoing data, the Committee recommends the approval of the Azrock Carpet Tile, Type W and C, under C-26-178.0 (2.1.2.5) and C-26-667.0 Sub. 4 (10.9.2.4) and under the rules and regulations of the Tenement House Department as revised June, 1937, as a substitute material to linoleum and rubber floor covering as provided in Article 4, when installed in accordance with the requirements therein; and as provided for herein.

This material is shipped in wire-bound wooden boxes marked with name of the tile and type of floor over which it is to be used, thickness, size and color. In addition to this marking the Committee recommends each such box to be tagged, labelled or stamped, reading as follows: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 1329-39-SM."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Azrock Carpet Tile, Types W and C, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

Adjourned, 5:35 P.M.

JOSEPH J. DOYLE, Chief Clerk.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Borough Superintendent of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

- 2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.
- 2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.
- 2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.
- 2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.
- 2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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- 3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.
- 3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

- 4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.
- 4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.
- 4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.
- 4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.
- 4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.
- 4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.
- 4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.
- 4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.
- 4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.
- 4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

- 4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.
- 4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.
- 4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.
- 4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.
- 4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.
- 4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.
- 4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.
- 4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.
- 4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction.
- 4.4.1 Artificial lighting shall be only by means of electricity.
- 4.5 LIGHTING FIXTURES.
- 4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

RULES

- 4.5.2 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

RULES

- 6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.
- 6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.
- 6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
- Rule 3.1 Air Exhaust System.
- 3.2 Air Supply and Mixing.
- Rule 4.1 Construction of Spray Booths.
 - 4.1.3 Surfacing of Booths.
 - 4.1.5 Surfacing of Booths.
 - 4.2.2 Maintenance of Ducts.
 - 4.2.5 Electric Lighting.
 - 4.2.6 Method of Induced Draft.
- 4.4 Separation of Booth from Flame.
- 4.4 Location of Motors.
- Rule 5.1 Certificate of Fitness.
- 5.2 Smoking, Matches, etc.
- 5.6 Maintenance of Equipment.
- 5.7 Cleaning Implements.
- 5.9 Fire Appliances.
- 5.10 Accumulation and disposal of waste materials.
- 5.12 Motor Vehicles in booths or rooms.
- Rule 6. Storage and Mixing.
- Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Automatic Paint Sprayer.....477-37-SA.
Binks-Hu-Ro-Thor-Hurley Spray Equipment...338-32-SA.
De Vilbiss Spray-Painting Equipment.....336-32-SA.
Eclipse Spray Painting Equipment.....151-38-SA.
Eureka Paint Sprayer.....478-37-SA.

Milburn Spray Painting Equipment.....492-38-SA.
Paasche Spray Painting Equipment.....363-32-SA.
Sharpe Spray Guns, Models B-21, C-21, RA-21,
RC-21, GA-37, GC-37, Bear-Cat, K, KF, KO,
L, M-2, M-4, FA-36 and FC-36.....604-38-SA.
Spraco Spray Painting Equipment.....479-32-SA.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 47

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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Rules for Inspection of Approved Opening Protective Assemblies.

Fire Drill Rules.

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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DOCKET

New Cases Filed up to November 14, 1939

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
1365-39-A.....	H.B.Q.....	31-07 Borden avenue and east side of 31st street (Mount street), 337 ft. north of Borden avenue (Block No. 289, Lot Nos. 1 and 16), Long Island City, Borough of Queens, Alt. 2589-39.
1366-39-SM.....		Bell-Mine Rotary Kiln Pulverized Lime and Bell-Mine Rotary Kiln Quicklime, manufactured by Warner Company, Bellefonte Division, Material.
1367-39-SM.....		Corkoustic, manufactured by Armstrong Cork Company, Material.
1368-39-A-WF..	H.B.Q....	112-36 to 112-44 Roosevelt avenue, south side, 100 ft. west of 114th street (Block No. 2013, Lot Nos. 32 to 35 inclusive), Corona, Borough of Queens, Misc. Applic. 8833-39.
1369-39-A.....	H.B.Q.....	70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (Under Section 35, General City Law re Bed of Mapped Street), N.B. 9094-39.
1370-39-A.....	F.D.....	595-597 Wales avenue, northwest corner of East 150th street (Block No. 2642, Lot Nos. 56-59), Borough of The Bronx, 19601-L.C.
1371-39-SM.....		Alglas Floor and Roof Construction in Steel Frame, manufactured by American Bar Lock Company, Inc., Material.
1372-39-SM.....		Alglas Vaculite Construction in Aluminum Frame (for Floor and Roof Construction), manufactured by American Bar Lock Company, Inc., Material.
1373-39-SM.....		Alglas Sidewalk Lights, in Steel Frame, manufactured by American Bar Lock Company, Inc., Material.
1374-39-S.....	H.B.B.....	310-312 Dean street and 77-81 Third avenue, southeast corner (Block No. 198, Lot Nos. 7 and 10), Borough of Brooklyn, Alt. 3839-39.
1375-39-A.....	H.B.Q.....	40-06 to 40-10 104th street, northwest corner of 41st avenue (Block No. 1975, Lot No. 18), Corona, Borough of Queens, Misc. Applic. 95-39.
1376-39-SM.....		Martinen Concrete Blocks, Stamped QRCR, manufactured

by Peter Martinen, Material.

1377-39-SM.....		Steeltex for Brick or Stone Veneer, manufactured by Johns-Manville Sales Corporation, Material.
1378-39-SM.....		Steeltex Floor Lath in Combination with Light Steel Joist Construction, manufactured by Johns-Manville Sales Corporation, Material.
1379-39-SM.....		Nailable Cinder Concrete Blocks, manufactured by Nailable Cinder Block Corporation, Material.
1380-39-SM.....		Kiesling Vertical Sliding Doors, Kiesling Hinged Doors and Kiesling Bi-parting Counterbalanced Doors, manufactured by John W. Kiesling and Son, Inc., Material.
1381-39-A.....	H.B.Q.....	1620 Center street, south side, 175 ft. east of Wyckoff avenue (Block No. 3551, Lot No. 18), Ridgewood, Borough of Queens, Misc. Applic. 6582-39.
1382-39-BZ....	H.B.M.....	119-125 West 96th street, north side, 325 ft. west of Columbus avenue (Block No. 1851, Lot Nos. 16 to 19 inclusive), Borough of Manhattan, Decision re Drop Curb Applic. 237-39.
1383-39-A.....	H.B.B.....	216 Alabama avenue, west side, 100 ft. south of Pitkin avenue (Block No. 3734, Lot Nos. 25 to 27 and part of Lot No. 30), Borough of Brooklyn, B.N. 6583-39.
1384-39-SM.....		Crane C-12785 Saxonet Closet Bowl with C-13558 Six-gallon Ipswitch China Tank with Scovill Type "S" float Valve and Vacuum Breaker, manufactured by Crane Company, Material.
1385-39-A.....	H.B.B.....	297-307 Lenox road, north side, 79 ft. 8½ in. east of Nostrand avenue (Block No. 4837, Lot Nos. 89-91), Borough of Brooklyn, Amendment to N.B. 2231-39.
1386-39-A.....	H.B.B.....	438-446 Ocean parkway, west side, 180 ft. south of Cortelyou road (Block No. 5389, Lot Nos. 19-21), Borough of Brooklyn, Amendment to Permit N.B. 2279-39.
1387-39-A.....	H.B.Q.....	165-18 Highland avenue, south side, 110 ft. east of 165th street (Block No. 9837, Lot No. 80), Jamaica, Borough of Queens, N.B. 6682-38.

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1388-39-A.....H.B.Q.....35-43 84th street, east side, 100 ft. north of 37th avenue (Block No. 1458, Lot No. 46), Jackson Heights, Borough of Queens, N.B. 7937-39.

1389-39-BZ....H.B.Bx.....2750 Bailey avenue and 260 West Kingsbridge road, southeast corner (Block No. 3239, Lot Nos. 56 and 57), Borough of The Bronx, N.B. 882-39

1390-39-S.....F.D.....42-25 21st street, southeast corner of Bridge Plaza South (Block No. 427, Lot No. 27), Long Island City, Borough of Queens, 2580-L.F. and Decision.

1391-39-SM.....Lecor Hollow Concrete Block, manufactured by Lecor Construction Corporation, Material.

1392-39-BZ....H.B.M.....870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan, Decision re Certificate of Occupancy.

1393-39-A.....F.D.....107-109 West 38th street, north side, 90 ft. west of Sixth avenue, 11th floor (Block No. 814, Lot No. 30), Borough of Manhattan, Decision re 17795-L.C.

1394-39-A.....H.B.Q.....56-35, 56-39, 56-43, 56-47 and 56-51 186th street, northeast corner of 58th avenue (Block No. 5672, Lot No. 34), Flushing, Borough of Queens, N.B. 8324-39 to N.B. 8328-39 inclusive and N.B. 9246-39 to N.B. 9256-39 inclusive.

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1396-39-BZ....H.B.B.....253 Devoe street, north side, 197 ft. 8 in. west of Olive street (Block No. 2916, Lot No. 52), Borough of Brooklyn, N.B. 1930-39.

1397-39-BZ....H.B.B.....1602-1612 Neck road and 2277-2281 East 16th street, southeast corner (Block No. 7377, Lot No. 54), Borough of Brooklyn, N.B. 1409-39.

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DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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NOVEMBER 21, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 21, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 982-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of Chapmald Realty Corpora-

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tion, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 406-420 West 55th street, south side, 100 ft. west of Ninth avenue (Block No. 1064, Lot Nos. 37 to 42, inclusive), Borough of Manhattan.

CAL. NO. 1091-39-BZ—Application, September 5, 1939, under sections 7h and 21 of the building zone resolution, of Thomas W. Lamb, Inc., applicant, on behalf of Sixth Avenue and 44th Street Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1120-1136 Sixth avenue, east side, entire block from West 43rd street to West 44th street (Block No. 1259, Lot No. 1), Borough of Manhattan.

CAL. NO. 1138-38-BZ—Application, December 8, 1938, under sections 7e and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Elsie Maresca and Mary Maresca, owners, to permit in a business use district, the conversion of occupancy of a building occupied as auto laundry, stores, battery service and storage for five (5) motor vehicles to auto laundry, grease pits, motor vehicle repair shop and storage for more than five (5) motor vehicles; premises 2637-2645 Webster avenue, west side, 130.60 ft. north of East 194th street (Block No. 3277, Lot No. 41), Borough of The Bronx.

CAL. NO. 68-39-BZ—Application, January 18, 1939, under sections 7h and 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of B. S. and B. Co., Inc., owner (Thomas Viola, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2963-2965 Webster avenue, west side, 125 ft. north of Bedford Park boulevard (Block No. 3280, Lot No. 58), Borough of The Bronx.

CAL. NO. 1094-39-BZ—Application, August 23, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Sheffield Farms Company, Inc., applicant and owner, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 52-02 Flushing avenue, south side, 106 ft. west of Sophie street and 52-15 Metropolitan avenue (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

CAL. NO. 212-34-BZ—Application of Michael Marlo, applicant, on behalf of Carmelo Oddo, owner (Michael Monterosa, lessee), reopened June 20, 1939, under section 21 of the

building zone resolution, to permit in a business use district, the extension of a gasoline service station; said gasoline station was previously granted by the Board for a temporary period; premises 1709 Neptune avenue and 2760-2770 Cropsey avenue, northwest corner (Block No. 6994, Lot Nos. 97 and 99), Borough of Brooklyn.

CAL. NO. 813-39-BZ—Application, June 19, 1939, under section 21 of the building zone resolution, of Wood and Marshall, applicants, on behalf of Samuel H. Baylis, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 120-43 to 120-45 Farmers boulevard, northeast corner of 121st (Arthur) avenue (Block No. 3362, Lot No. 1), St. Albans, Borough of Queens.

CAL. NO. 1025-39-BZ—Application, August 7, 1939, under section 21 of the building zone resolution, of Frank J. Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

CAL. NO. 1018-38-BZ—Application of John F. Meehan, applicant, on behalf of The Rector, Church Wardens and Vestrymen of Trinity Church in the City of New York, owner (Caswell Motor Company, lessee), reopened October 24, 1939 re extension of time to complete work—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3740 Broadway, northeast corner of West 155th street (Block No. 2114, Lot No. 1), Borough of Manhattan.

CAL. NO. 76-37-BZ—Application of Edwin H. Snackenberg, applicant, on behalf of Albert Edelman, owner, reopened October 24, 1939 re extension of term of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles for a temporary period; premises 601-611 Livonia avenue, northeast corner of Sheffield avenue (Block No. 3805, Lot No. 1), Borough of Brooklyn.

CAL. NO. 836-39-BZ—Application, June 21, 1939, under section 21 of the building zone resolution, of Isidore Wolsk, applicant, on behalf of Gotham Equities Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1793-1799 Eastern parkway, north side, 68.4 ft.

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west of Dean street and 2348-2354 Dean street (Block No. 1449, Lot Nos. 19 and 21), Borough of Brooklyn.

CAL. NO. 1093-39-BZ—Application, August 17, 1939, under section 21 of the building zone resolution, of Lockwood Greene Engineers, Inc., applicant, on behalf of News Syndicate, Inc., owner, to permit in an unrestricted use district and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building; said extension not conforming with the "B" area requirements of the building zone resolution; premises 684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28. inclusive), Borough of Brooklyn.

CAL. NO. 413-39-BZ—Application, March 30, 1939, under sections 7a, 7c and 21 of the building zone resolution, of Henry C. Brockman, applicant, on behalf of New York Rapid Transit Corporation and Brooklyn-Manhattan Transit Company, owners (Gulf Oil Corporation, lessee), to permit partly in a business use district and partly in a residence use district, the extension of a gasoline service station; premises 464-484 Flatbush avenue and 1-33 Ocean avenue, southwest corner (Block No. 5024, part of Lot Nos. 28 and 37), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 21, 1939, 2 P. M.

Appeals from Administrative Decisions

- 1219-39-A—440 East 102nd street, southwest corner of East River drive (Block No. 1695, Lot No. 25), Borough of Manhattan.
- 697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.
- 696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.
- 1320-39-A—1070 Madison avenue and 26 East 81st street, southwest corner (Block No. 1492, Lot No. 56), Borough of Manhattan.
- 1340-39-A—96-100 Hudson street and 1-5 Leonard street, northeast corner and 161-163 Franklin street (Block No. 179, Lot No. 56), Borough of Manhattan.
- 1402-39-A—70G-72G Gouverneur street, entire block, bounded by Gouverneur, Madison, Jackson and Water streets (Buildings 1 to 18, inclusive); (Block No. 260, Lot No. 1), Borough of Manhattan.
- 1403-39-A—345M-367M Madison street, north side, 95.79 ft. east of Scammel street, through to Henry street (Buildings 19 and 20); (Block No. 267, Lot No. 24), Borough of Manhattan.
- 1404-39-A—14J-22J Jackson street, northeast corner of Monroe street and south side of Madison street (Buildings 22 and 24); (Block No. 265, Lot Nos. 1 and 2), Borough of Manhattan.

1405-39-A—28J-44J Jackson street, northeast corner of Cherry street and south side of Monroe street (Buildings 21 and 23); (Block No. 263, Lot Nos. 40 and 45), Borough of Manhattan.

1315-39-A—211 Legion street, east side, 275 ft. south of Blake avenue (Block No. 3553, Lot No. 11), Borough of Brooklyn.

1349-39-A—346 Ocean parkway, west side, 40 ft. south of Avenue "C" (Block No. 5374, Lot No. 12), Borough of Brooklyn.

1325-39-A—2277-2281 Ocean parkway, east side, 120 ft. north of Avenue "W" (Block No. 7158, Lot No. 60), Borough of Brooklyn.

1386-39-A—438-446 Ocean parkway, west side, 180 ft. south of Cortelyou road (Block No. 5389, Lot Nos. 19-21), Borough of Brooklyn.

1333-39-A—801 East 134th street, north side, 150 ft. east of Willow avenue (Block No. 2586, Lot No. 12), Borough of The Bronx.

1365-39-A—31-07 Borden avenue and east side of 31st (Mount) street, 337 ft. north of Borden avenue (Block No. 289, Lot Nos. 1 and 16), Long Island City, Borough of Queens.

1336-39-A—69-78, 69-82 and 69-86 182nd street, northwest corner of 73rd avenue and west side of 182nd street, 50.1 ft. and 90 ft. north of 73rd avenue (Block No. 7134, Lot No. 6), Flushing, Borough of Queens.

1337-39-A—69-77, 69-81 and 69-85 182nd street, northeast corner of 73rd avenue and east side of 182nd street, 50.96 ft. and 90.96 ft. north of 73rd avenue (Block No. 7135, Lot No. 1), Flushing, Borough of Queens.

1381-39-A—1620 Centre street, south side, 175 ft. east of Wyckoff avenue (Block No. 3551, Lot No. 18), Ridgewood, Borough of Queens.

1387-39-A—165-18 Highland avenue, south side, 110 ft. east of 165th street (Block No. 9837, Lot No. 80), Jamaica, Borough of Queens.

1388-39-A—35-43 84th street, east side, 100 ft. north of 37th avenue (Block No. 1458, Lot No. 46), Jackson Heights, Borough of Queens.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1005-39-A—22-71 33rd street, east side, 76 ft. 2 3/8 in. north of 23rd avenue and 33-09 23rd avenue (Block No. 832, Lot No. 2), Astoria, Borough of Queens.

1058-39-A—24 First avenue, east side, 44 ft. south of East 2nd street (Block No. 429, Lot No. 8), Borough of Manhattan.

Variation of the Labor Law

1399-39-S—31-07 Borden avenue and east side of 31st (Mount) street, 337 ft. north of Borden avenue (Block No. 289, Lot Nos. 1 and 16), Long Island City, Borough of Queens.

NOVEMBER 28, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution. *Tuesday morning, November 28, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

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- CAL. NO. 742-38-BZ—Application, August 25, 1938, under section 21 of the building zone resolution of George Goodstein, applicant on behalf of Leon W. McKeon, owner, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment, dwelling and two (2) car garage; premises 3129 Perry avenue, west side, 110 ft. north of 204th street (Block No. 3341, Lot Nos. 26 and 27), Borough of The Bronx.
- CAL. NO. 763-39-BZ—Application, June 9, 1939, under section 7a of the building zone resolution, of Frank E. Wall, applicant on behalf of J. W. Schneider, owner, to permit in a business use district, the extension of an existing gasoline service station and also the erection of a new accessory building; premises 22-24 Jewett avenue, west side, 92.57 ft. south of Bennett street (Block No. 1012, Lot No. 84), Port Richmond, Borough of Richmond.
- CAL. NO. 856-39-BZ—Application, June 26, 1939, under sections 7a and 21 of the building zone resolution, of Frank E. Wall, applicant, on behalf of Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station; premises 823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.
- CAL. NO. 904-39-BZ—Application, July 5, 1939, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Julia V. Delany, owner, to permit in a residence use district the extension of an existing garage for more than five (5) motor vehicles, said garage is located on the same street between two (2) intersecting streets as a school; premises 595-597 Quincy street, north side, 200 ft. east of Lewis avenue (Block No. 1625, Lot No. 73), Borough of Brooklyn.
- CAL. NO. 1142-39-BZ—Application, September 19, 1939, under section 21 of the building zone resolution, of Joel D. Marder, applicant, on behalf of Manhattan Storage and Warehouse, owner, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 140-146 West 53rd street, south side, 225 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 53-55), Borough of Manhattan.
- CAL. NO. 1153-39-BZ—Application, September 20, 1939, under sections 7c and 21 of the building zone resolution, of Edgar J. Moeller, applicant, on behalf of Remsenburg Realty Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store); premises 1522-1526 Kings Highway, southwest corner of East 16th street (Block No. 6798, part of Lot No. 42), Borough of Brooklyn.
- CAL. NO. 766-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Oliver Reagan, applicant, on behalf of Estate of Erskine Hewitt, owner (Norvin H. Green, executor), to permit in a residence use district, the alteration and change of occupancy of an existing building (private stable and dwelling) to office use and dwelling; premises 144 East 39th street, south side, 197 ft. east of Lexington avenue (Block No. 894, Lot No. 56), Borough of Manhattan.
- CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.
- CAL. NO. 479-39-BZ—Application, April 17, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Board of Transportation, City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 209 East Houston street, southeast corner of Ludlow street and 167-179 Essex street, west side, 100 ft. south of East Houston street (Block No. 412, Lot No. 53), Borough of Manhattan.
- CAL. NO. 667-39-BZ—Application, May 22, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Louis Kliegman, owner (Theodore Tannor, lessee), to permit in a business use district the extension of an accessory building located on an existing gasoline service station; premises 928-932 Stone avenue, northwest corner of Linden boulevard (Block No. 3639, Lot No. 1), Borough of Brooklyn.
- CAL. NO. 552-39-BZ—Application, May 3, 1939, under section 21 of the building zone resolution, of Bernhardt T. Berman, applicant, on behalf of Elias Goldberg, owner, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1028-1030 Utica avenue, west side, 100 ft. south

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of Tilden avenue (Block No. 4734, Lot No. 11), Borough of Brooklyn.

CAL. NO. 1313-39-BZ—Application, October 25, 1939, under sections 7a and 21 of the building zone resolution, of Aymar Embury II, applicant, on behalf of Queens County Jockey Club, owner, to permit in a residence use district, the erection of two (2) buildings, the alteration and extension in area of two (2) buildings and the relocation of three (3) buildings existing on the premises. Each of the five (5) buildings involved, to be used as stables for more than five (5) horses as accessories to the Jockey Club (Race Track) on the premises; premises north side of North Conduit avenue between 135th and 150th avenues (Block No. 2317, Lot No. 1, Block No. 2318, Lot No. 2, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens.

Appeal from Administrative Decision

1314-39-A—North side of North Conduit avenue, between 135th avenue and 150th avenue (Block No. 2317, Lot No. 1, Block No. 2318, Lot No. 1, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens (Under Section 35, General City Law re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 28, 1939, 2 P. M.

Appeals from Administrative Decisions

1041-39-A—Southeast corner of Twiggs place and Fifth street (Block No. 5517, Lot No. 101), Park of Edgewater, Borough of The Bronx (Under Section 35, General City Law re: Bed of Mapped Street).

1288-39-A—Pequot road and 88th street, 851.49 ft. west of west side of 88th street and 617.42 ft. south of Cooper avenue (Block No. 3810, Lot No. 275), Glendale, Borough of Queens (Under Section 36, General City Law).

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law).

1360-39-A—24-38 Columbia street, southwest corner of Pacific street (Pier No. 23); (Block No. 287, part of Lot No. 68), Borough of Brooklyn.

1323-39-A—257 13th street, north side, 97 ft. 10½ in. west of Fifth avenue (Block No. 1028, Lot No. 49), Borough of Brooklyn.

1361-39-A—1245 84th street, north side, 320 ft. west of 13th avenue (Block No. 6308, Lot No. 60), Borough of Brooklyn.

1363-39-A—936 Lenox road, south side, 60 ft. east of East 56th street (Block No. 4662, Lot No. 4), Borough of Brooklyn.

1364-39-A—938 Lenox road, south side, 80 ft. east of East 56th street (Block No. 4662, Lot No. 5), Borough of Brooklyn.

1409-39-A—2142-2152 Nostrand avenue, southwest corner of Flatbush avenue (Block No. 7557, Lot No. 130), Borough of Brooklyn.

1413-39-A—880 Zerega avenue, east side, 236.15 ft. south of Quimby avenue (Block No. 3702, Lot No. 101), Borough of The Bronx.

1368-39-A-WF—112-36 to 112-44 Roosevelt avenue, south side, 100 ft. west of 114th street (Block No. 2013, Lot Nos. 32 to 35, inclusive), Corona, Borough of Queens.

1037-39-A—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

1254-39-A—67-46 to 67-52 Myrtle avenue and 302-306 68th street, southwest corner (Block No. 3702, Lot No. 25), Glendale, Borough of Queens.

1253-39-A—159-01 Hillside avenue, northeast corner of Parsons boulevard (Block No. 342, Lot No. 1), Jamaica, Borough of Queens.

1290-39-A—883 Eastern parkway, north side, 87 ft. east of Albany avenue (Block No. 1388, Lot No. 74), Borough of Brooklyn.

Variation of the Labor Law

1438-39-S—18-20 East 50th street, south side, 70 ft. west of Madison avenue (Block No. 1285, Lot No. 59), Borough of Manhattan.

DECEMBER 5, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 5, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 310-39-BZ—Application, March 13, 1939, under sections 7h and 21 of the building zone resolution, of Alexander Ketterson, applicant, on behalf of Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

CAL. NO. 657-39-BZ—Application, May 19, 1939, under sections 7c and 21 of the building zone resolution, of Frank Verdi, applicant, on behalf of Henry A. Thelluson, Receiver (George and F. J. Verdi, lessees), to permit in a residence use district and, also, on a street between two

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(2) intersecting streets in which portion there exists an exit and an entrance to a public school, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles; premises 353-355 West 48th street, north side, 204 ft. east of Ninth avenue (Block No. 1039, Lot No. 9), Borough of Manhattan.

CAL. NO. 1054-39-BZ—Application, August 18, 1939, under section 7a of the building zone resolution, of Richard Shutkind, applicant, on behalf of 318 West 47th Street Corporation, owner, to permit in a residence use district, the extension of an existing business use; premises 318 West 47th street, south side, 275 ft. west of Eighth avenue (Block No. 1037, Lot No. 44), Borough of Manhattan.

CAL. NO. 868-39-BZ—Application, June 27, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Irving Palmer, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 3826-3830 Kings Highway and 1241-1245 Ryder street, southeast corner (Block No. 7817, Lot No. 34), Borough of Brooklyn.

CAL. NO. 326-36-BZ—Application of Interborough Engineering Company, applicant, on behalf of Giuseppe Montemorano, owner, reopened June 27, 1939 under new facts, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied); premises 961-965 Fourth avenue and 402-412 37th street, southeast corner (Block No. 701, Lot No. 8), Borough of Brooklyn.

CAL. NO. 597-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Inc., owner, to permit in a business use district, the alteration and extension of an existing gasoline service station; premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block No. 9751, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 724-39-BZ—Application, May 31, 1939, under section 7c of the building zone resolution, of Joseph P. Powers, applicant, on behalf of Buona Terra Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores); premises 148-42 Hillside avenue, south side, 224.5 ft. west of 150th street (Block No. 9694, Lot No. 23), Jamaica, Borough of Queens.

CAL. NO. 929-39-BZ—Application, July 11, 1939, under sections 7a and 21 of the building zone resolution, of Lama and Proskauer, ap-

plicants, on behalf of Oliver S. Chatfield, owner, to permit in a business use district, the alteration of an existing garage and gasoline service station and the increase in area of the gasoline station by the relocation of the front wall of the garage; premises 97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

CAL. NO. 295-39-BZ—Application, March 8, 1939, under sections 7b, 7c and 21 of the building zone resolution, of Louis Danancher, applicant, on behalf of Morris Manes, owner, to permit partly in a business use district and partly in a residence use district, the maintenance of an extension to a business building; premises 113-19 Jamaica avenue, north side, 25 ft. west of 114th street (Block No. 4227, Lot No. 77), Richmond Hill, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 5, 1939, 2 P. M.

Appeals from Administrative Decisions

1306-39-A—623 Beach 19th street, west side, 347 ft. south of Cornaga avenue and 702 Beach 20th street (Block No. 84, Lot No. 1 and Block No. 85, Lot No. 34), Far Rockaway, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1355-39-A—485 Madison avenue and 28-36 East 52nd street, southeast corner (Block No. 1287, Lot No. 52), Borough of Manhattan.

1451-39-A—148-150 West 53rd street, south side, 191.75 ft. east of Seventh avenue (Block No. 1005, part of Lot No. 53), Borough of Manhattan.

1342-39-A—30-80 Steinway street, west side, 182.66 ft. north of Jamaica avenue (Block No. 660, Lot No. 82), Astoria, Borough of Queens.

1466-39-A—19-80 Steinway street, northwest corner of 20th avenue (Block No. 811, part of Lot No. 1), Long Island City, Borough of Queens.

DECEMBER 12, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 12, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue and 209-211 East 44th

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street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 244-39-BZ—Application of John J. Beatty, applicant, on behalf of Harlem Savings Bank, owner, reopened under new facts October 24, 1939, under section 21 of the building zone resolution, to permit in a restricted retail use district, the alteration and conversion of occupancy of part of an existing building to a motion picture theatre (previously denied); premises 163-165 West 57th street, north side, 104 ft. 2 in. east of Seventh avenue (Block No. 1010, Lot No. 5), Borough of Manhattan.

CAL. NO. 562-39-BZ—Application, May 3, 1939, under section 7h of the building zone resolution, of Tendwell Service Station Corporation, applicant and lessee, on behalf of New York State Realty and Terminal Co., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 5-15 West 125th street, north side, 110 ft. west of Fifth avenue and 6-14 West 126th street (Block No. 1723, Lot No. 31), Borough of Manhattan.

CAL. NO. 691-39-BZ—Application, May 23, 1939, under section 7a of the building zone resolution, of Thomas M. Bell, applicant, on behalf of Gainsborough Studios, Inc., owner, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the street; premises 222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

CAL. NO. 459-39-BZ—Application, April 12, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicant, on behalf of Leon K. Rockmore, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn.

CAL. NO. 951-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Emil Koepfel, applicant, on behalf of Madeline Hecht, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn.

CAL. NO. 1022-39-BZ—Application, August 4, 1939, under sections 7f and 21 of the building zone

resolution, of Samuels and Samuels, applicants, on behalf of Matilda Tais-hoff, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 47-13 to 47-21 Kissena boulevard and 140-01 to 140-07 Mulberry court, northeast corner (Block No. 5216, Lot No. 41), Flushing, Borough of Queens.

CAL. NO. 1203-39-BZ—Application, September 29, 1939, under section 7c of the building zone resolution, of Edwin W. Kleinert and A. Stanely Miller, applicants, on behalf of Security Construction Company, owner, to permit the erection of a business building (stores), extending from a business use district into a residence use district; premises 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-0, 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens.

CAL. NO. 746-39-BZ—Application, June 7, 1939, under sections 7c, 7f and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Brooklyn Development Company, owner (George E. Weidner, lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a golf driving range and accessory club house; premises 2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

Appeal from Administrative Decision

894-39-A—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn (Under Section 35, General City Law, Re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 12, 1939, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 12, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 971-27-BZ—Application of Assets Funding Corporation, lessee, and George W. Perkins and Dorothy P. Freeman, owners, reopened November 14, 1939 re amendment of resolution as to additional use as an automobile repair shop—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business

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use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 270 Dyckman street, south side, 488.11 ft. west of Broadway (Block No. 2246, Lot No. 43), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 19, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 19, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1113-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frieda D. Waters, applicant and owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 1913-1929 Bay avenue, north side, 106 ft. 3½ in. east of East 19th street (Block No. 6748, Lot No. 97 and part of Lot No. 92), Borough of Brooklyn.

CAL. NO. 1121-39-BZ—Application, September 8, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue (Block No. 4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn.

CAL. NO. 1260-39-BZ—Application, October 13, 1939, under section 7c of the building zone resolution, of Thomas J. Curran, applicant, on behalf of South Brooklyn Savings Bank, owner, to permit the extension of a proposed bank building from a business use into a residence use district; premises 6422-6424 18th avenue and 1771-1775 65th street, northwest corner (Block No. 5546, Lot Nos. 50, 53, 57 and 58), Borough of Brooklyn.

CAL. NO. 186-37-BZ—Application of William Shary, applicant, on behalf of Aaron Rabinowitz, James L. Clare and Lawrence N. Martin, as trustees of Series F-1, owner (Reuben Nathan, lessee), reopened under new proposal June 27, 1939, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously denied re parking of more than five (5) motor vehicles); premises 709-719 Westchester avenue, 721-725 Forest avenue,

northwest corner and 712-724 Jackson avenue (Block No. 2645, Lot No. 5), Borough of The Bronx.

CAL. NO. 1194-39-BZ—Application, September 28, 1939, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district, the erection and maintenance of a laundry which is accessory to a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx.

CAL. NO. 1189-39-BZ—Application, September 27, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William Jacobia and Albert Jacobia, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 136-05 32nd avenue and 31-51 Linden place, northeast corner (Block No. 4409, Lot No. 1), Flushing, Borough of Queens.

CAL. NO. 637-39-BZ—Application, May 17, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Shell Oil Co., Inc., owner, to permit in a business use district, the extension of an existing gasoline service station; premises 63-56 Austin street and 91-39 63rd drive, southwest corner (Block No. 3103 (1897), Lot No. 43), Rego Park, Borough of Queens.

CAL. NO. 767-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Judson E. Schnall, applicant, on behalf of Estate of Benjamin Anchell and Philip Levison, owners (Thomas Kaltenbach, lessee), to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

CAL. NO. 181-39-BZ—Application, February 14, 1939, of Joshua Hochstein, applicant, on behalf of Frances Landa and Fannie Hochstein, owners, reopened and restored to calendar October 10, 1939, under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop, machine shop and garage for more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 45-37 to 45-55 50th (Fitting) street, east side, 400 ft. south of Queens boulevard (Block No. 2283, Lot No. 1), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

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JANUARY 3, 1940, 2 P. M.

Appeals from Administrative Decisions

1369-39-A—70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1488-39-A—213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft. and 302.27 ft. east of Bell boulevard (Block No. 6116, part of Lot No. 20 and Block No. 6118, part of Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

JANUARY 30, 1940, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

of the building zone resolution, *Tuesday morning, January 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. No. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 14, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

47-38-BZ.

APPLICANT—Herman Kron, for Harris Ratner, Inc.; owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron, John G. Coleman and Joseph B. Ratner.

For Opposition: Barnet Kantor and Celestine Wasserman.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Laid over to November 28, 1939, at 10 a.m., for inspection by a committee of the board. No further argument.

413-39-BZ.

APPLICANT — Henry C. Brockman (Gulf Oil Corp., lessee), for New York Rapid Transit Corp. and Brooklyn-Manhattan Transit Co., owners.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7A, 7G and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—464-484 Flatbush avenue and 1-33 Ocean avenue, southwest corner (Block No. 5024, part of Lot Nos. 28 and 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: C. G. Bacherach and others.

ACTION OF BOARD—Laid over to November 21, 1939, at 10 a.m., for further consideration by the board. No further argument.

479-39-BZ.

APPLICANT—Herman Kron, for Board of Transportation, City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 209 East Houston street, southeast corner of Ludlow street and 167-179 Essex street, west side, 100 ft. south of East Houston street (Block No. 412, Lot No. 53), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron and Philip Adelman.

For Opposition: Joseph M. Klein, Benjamin Shapiro and Chester Fullwood.

ACTION OF BOARD—Laid over to November 28, 1939, at 10 a.m., for inspection by a committee of the Board. No further argument.

552-39-BZ.

APPLICANT—Bernhardt T. Berman, for Elias Goldberg, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—1028-1030 Utica avenue, west side, 100 ft. south of Tilden avenue (Block No. 4734, Lot No. 11), Borough of Brooklyn.

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APPEARANCES—

For Applicant: Bernhardt Berman and Elias Goldberg.

For Opposition: A. H. Goodman, Frank Di Lauro, Frank Rapisis, James J. Connor and Michael Trotta.

ACTION OF BOARD—Laid over to November 28, 1939 at 10 A. M., for inspection by a committee of the board. No further argument.

667-39-BZ.

APPLICANT—Lama and Proskauer, for Louis Kliegman, owner (Theodore Tannor, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of an accessory building located on an existing gasoline service station.

PREMISES AFFECTED—928-932 Stone avenue, northwest corner of Linden boulevard (Block No. 3639, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Theodore Tannor.

For Opposition: Mrs. Tillie Tepper.

ACTION OF BOARD—Laid over to November 28, 1939, at 10 A.M., for inspection by a committee of the board.

1203-39-BZ.

APPLICANT—Edwin W. Kleinert and A. Stanley Miller, for Security Construction Co., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7c of the building zone resolution, to permit the erection of a business building (stores), extending from a business use district into a residence use district.

PREMISES AFFECTED—69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-01 57th road (Block No. 2796, part of Lot No. 13 and Block No. 2797, Lot No. 1), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Edwin W. Kleinert and A. Stanley Miller.

For Opposition: Jacob Friedland, William Penn, Peter Rulek, Rose Moros, B. Graff and others.

ACTION OF BOARD—Laid over to December 12, 1939 at 10 A.M., for inspection by a committee of the board. No further argument.

52-16-BZ.

APPLICANT—John Thatcher and Son and Wingate and Cullen, for Annie McDonald, owner (William Levine, lessee).

SUBJECT—Application reopened June 13, 1939 (re decision of the acting borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and, also, a motor vehicle repair shop; said building on same street with public school (permission to erect the building as a garage previously granted by the board.)

PREMISES AFFECTED—761 Park place, north side, 90 ft. east of Rogers avenue (Block No. 1233, Lot No. 81), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph F. Kelly and John Thatcher.

For Opposition: Thomas M. Timlin and Thomas Rowland.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4

THE RESOLUTION—

(52-16-BZ)

WHEREAS, James McDonald, owner, filed August 16, 1916, an application to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises: 761 Park place, north side, 90 ft. east of Rogers avenue (Block No. 1233, Lot No. 81), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board October 10, 1916 and present owner, through her representatives, John Thatcher and Son and Wingate and Cullen, requested a reopening of the application, to include a motor vehicle repair shop; and

WHEREAS, this application was reopened by vote of the Board June 13, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 14, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Park place, Prospect place, Rogers avenue and Nostrand avenue are all in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, B.N. Applic. No. 2795-39, dated May 15, 1939, reads:

"As building is at present occupied as an automobile showroom, proposed application for a change of occupancy to a public garage for more than five motor vehicles and repair shop is contrary to Art. II, Sec. 4 (2) of Zone Resolution, a public garage in a business use district, and Sec. 21 of Zone Resolution, a public garage located on the same street with a public school."

and

WHEREAS, the existing building is of Class 3, nonfire-proof construction, one story in height, 30 ft. by 127 ft. in depth. It is proposed to change the occupancy of the existing building (automobile showroom), to a garage for more than 5 motor vehicles and a motor vehicle repair shop; and

WHEREAS, the records in Cal. No. 52-16-BZ show that a zoning variance was granted by the board, to permit the erection of this building as a garage; and

WHEREAS, the board deemed that the applicant was entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the action of the Board of Appeals of October 10, 1916 be and it hereby is *affirmed* as to the garage for more than 5 motor vehicles.

Resolved further, that minor repairs to motor vehicles may be permitted within this garage, *on condition* that there shall be no forge, anvil or acetylene welder maintained or used on the premises; that no heavy body or fender work shall be carried on; that the repair work shall be restricted mainly to light repairs that can be done by means of hand tools and light machine tools not having more than ½ horse power; that any openings in the side lot line wall to the east, shall be filled in with approved masonry; that the building shall not be increased in height or area and shall in all respects other than as permitted by this Zoning Variance, comply with all laws, rules and regulations applicable thereto.

103-31-BZ.

APPLICANT—Lama and Proskauer, for Aljac Garage and Repair Shop, Inc., owner.

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SUBJECT—Application reopened February 28, 1939 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station (previously granted by the board re garage for more than five (5) motor vehicles).

PREMISES AFFECTED—124-17 Metropolitan avenue, north side, 20.68 ft. east of 124th place (Block No. 9243, Lot Nos. 185, 189 and 218), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(103-31-BZ)

WHEREAS, this application, to permit in a business use district, the erection and maintenance of a garage for the storage of more than 5 motor vehicles, affecting premises: 124-17 Metropolitan avenue, northside, 20.68 ft. east of 124th place (Cuthbert place); (Block No. 9243, Lot Nos. 185, 189 and 318), Richmond Hill, Borough of Queens, was granted by the Board June 24, 1932; and

WHEREAS, Lama and Proskauer, for Aljac Garage and Repair Shop, Inc., owner, requested a reopening of this application to permit the extension of the gasoline station in this garage; and

WHEREAS, this application was reopened by vote of the Board February 28, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 14, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Metropolitan avenue is in a business and unrestricted use district; 124th place is in a business and residence use district; 125th street is in an unrestricted and business use district; and Abington road is in a residence use district; and

WHEREAS, the decision of the Borough Superintendent, Application No. 9904-1939, dated April 12, 1937, reads:

"The extension of a gasoline service station in a business district is contrary to Art. 2, Section 4 of Zone Law."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 98.22 ft. and a maximum depth of 124.86 ft. Upon the easterly frontage of the plot there is a one story garage for more than 5 motor vehicles and a gasoline service station; on the westerly portion of the plot there is a garage for more than 5 motor vehicles (previously granted by the Board). It is proposed to remove and relocate part of the street wall of the westerly garage and to occupy the resulting area as a gasoline station in conjunction with the existing gasoline station in the easterly portion of the plot; and

WHEREAS, this application was granted under Section 7-G of the Building Zone Resolution on June 24, 1932 (not under section 21 as stated in the resolution printed in Bulletin No. 27, Vol. XVII); and

WHEREAS, the application has been made for permission to extend the gasoline selling alcove now existing on the adjoining garage to the east and to construct an alcove for lubrication, as indicated on revised plans marked "Received April 26, 1939", and to remove the existing gasoline pumps and erect one pair of pumps on one foundation not nearer than 10 feet from the street building line; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the Board deemed that the applicant was entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted June 24, 1932, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* for a one-story building above grade with a frontage of 48 ft. on Metropolitan avenue, *on condition* that the westerly wall of the proposed building shall be not less than 20 ft. east of Cuthbert place and said wall and rear wall shall be unpierced throughout their entire height and length, any openings therein to be filled in solidly with masonry of the same thickness as the wall now existing; that the front elevation shall be of face brick with architectural terra cotta or natural stone trim; that any servicing of cars in this building shall be by hand only; there shall be no advertising signs of any nature or description on this building advertising the non-conforming use of same; there shall be no portable gasoline tanks operated or maintained outside the building line of the premises under appeal; any skylights shall be glazed with plain glass, protected with wire guards above and below, and *granted on the further condition* that the corner property now in the ownership of the applicant, that is, the lot 24 ft. on Metropolitan avenue and a depth of 99 ft. on Cuthbert place, shall be maintained and developed, when developed and as developed, with a conforming use.

Resolved further, that the front wall of the building may be set back so as to form an extension of the gasoline selling alcove in connection with the adjoining garage to the east under the same ownership and to form an alcove for lubricating racks, substantially as indicated on plans marked "Received April 26, 1939", *on condition* that no gasoline pumps in any part of the gasoline selling alcove shall be erected nearer than 10 feet to the street building line and that the building shall not be increased in height or area; that in the wall opposite the proposed lubricating area, the sill of any show window shall be not less than 4 feet above grade; that signs shall be restricted to permanent signs attached to the garage and to the illuminated globes of the gasoline pumps and to a bracket sign attached to the building, advertising the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 feet; that in the event the proposed extension is constructed, all permits required shall be obtained and all work completed within one year from the date of this amended resolution."

1013-38-BZ.

APPLICANT—John Beveridge, lessee, for Jesse Knight, Edith and Daisy Howells, American Savings Bank, Ernest Hoehn and Union Dime Savings Bank, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21, 22, 23, 24 and 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Ricotta and John Beveridge.

For Opposition: Jeremiah Bloom.

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ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1013-38-BZ)

WHEREAS, John Beveridge, lessee, for Jesse Knight, Edith and Daisy Howells, American Savings Bank, Ernest Hoehn and Union Dime Savings Bank, owners, filed an application under section 7h of the building zone resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles; premises: 1881-1889 Second avenue and 235 East 97th street, northwest corner (Block No. 1647, Lot Nos. 21, 22, 23, 24 and 25), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, November 14, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

Whereas, the use district maps accompanying the building zone resolution show that Second avenue and Third avenue are in business use districts, East 97th street and East 98th street are in business and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent of buildings dated November 9, 1938, reads:

"Your application for certificate of occupancy for the use of the above premises as a parking and storage plot for more than five motor vehicles has been denied, for the reason that the premises is located in a business district where this occupancy is prohibited by Article 2, Section 4a, subdivision 15 of the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on East 97th street and 125 ft. on Second avenue. The southerly portion of the plot is occupied for the sale of second hand cars; it is proposed to use the remainder of the plot for a temporary period of not more than two years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h thereof, for a period of two years from date of this resolution, to permit the northerly portion of the plot under appeal to be occupied for the transient parking of more than five (5) motor vehicles of the pleasure car type only, *on condition* that the plot shall be levelled substantially to the grade of Second avenue and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound; that there shall be erected on the interior lot lines where walls of adjacent buildings do not occur, a heavy woven wire fence not less than 6 feet in height; that a similar fence shall be constructed along Second avenue for a distance of not less than 50 feet from the northerly lot line; that the entrance to the plot shall be restricted to one entrance from Second avenue, not over 15 feet in width with curb cut opposite of similar width; that during the term of this variance, the northerly portion of the plot shall be occupied for no other use and the southerly portion shall be used for no other use than that of selling used cars, subject to a license issued by the Commissioner of Licenses; that such parking shall be restricted to Lot Nos. 23, 24 and 25 and the sale of used cars restricted to Lot Nos. 21 and 22; that no building shall be erected on these premises except there may be erected a building not over one story in height or 150 sq. ft. in area and which may be of frame used as an office and shelter

for the attendant and which may be used also in connection with the sale of used cars; that all other buildings and all other uses, if any, shall be discontinued; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that along the balance of the street building line on Second avenue and East 97th street adjoining the space to be used for the sale of used cars, there shall be erected a substantial closure fence, which may be of wood; that any lights erected for general illumination shall be so arranged as to reflect away from the adjoining residential occupancies; that signs advertising the parking use shall be restricted to one sign attached to the fence near the entrance, and not extending beyond the building line and not exceeding 15 square feet in area; that all permits required shall be obtained and all work involved, completed within six months from the date of this resolution.

539-39-BZ.

APPLICANT—Albert Homer Swanke, for Louis H. Pink, Superintendent of Insurance of the State of New York, as Liquidator of the Lawyers Title and Guaranty Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1455-1465 Madison avenue, east side, from East 100th street to East 101st street, 51 East 100th street and 48-50 East 101st street (Block No. 1606, Lot Nos. 20, 21, 24, 29, 49 to 53, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Eli Resinkoff and Albert Homer Swanke.

For Opposition: Irving Golendie, Jules A. Malakoff, Nathan L. Samuelson, Joseph Stein, Gertrude Hyman, I. H. Saypol and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

THE RESOLUTION—

(539-39-BZ)

WHEREAS, Albert Homer Swanke, for Louis H. Pink, Superintendent of Insurance of the State of New York, as Liquidator of the Lawyers Title and Guaranty Company, owner, filed April 28, 1939, an application under sections 7H and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 1455-1465 Madison avenue, east side, from East 100th street to East 101st street, 51 East 100th street and 48-50 East 101st street (Block No. 1606, Lot Nos. 20, 21, 24, 29, 49 to 53 inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 14, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Madison avenue and Park avenue are in business use districts; East 100th street and East 101st street are in residence and business use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated March 31, 1939, reads:

"Relative to your application dated March 10, 1939, for a certificate of occupancy for the use of the above premises as a parking and storage space for more

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than five motor vehicles, we wish to advise you that as the premises are located in a business district your application has been denied as this occupancy is prohibited by Section 4 of the Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 151 ft. on Madison avenue, 100 ft. on East 101st street and 17 ft. on East 100th street. It is proposed to use the site for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the board deemed that in view of the existence of a hospital within 200 feet of this proposed parking lot, under the decisions of the courts, it is precluded under section 21 from rendering a favorable decision on this application and that no sufficient evidence was presented to show need for the establishment of a parking lot at this location.

Resolved, that the decision of the borough superintendent, dated March 31, 1939, be and it hereby is affirmed, and that the application be and it hereby is denied.

1098-39-BZ.

APPLICANT—LeRoy P. Ward, for Society of Illustrators, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7b and 7c of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the alteration and conversion of occupancy of an existing building to a club and business use.

PREMISES AFFECTED—128 East 63rd street, south side, 80 ft. west of Lexington avenue (Block No. 1397, Lot No. 60), Borough of Manhattan.

APPEARANCES—

For Applicant: LeRoy P. Ward and Wallace Morgan.

For Opposition: Samuel Brown and Ulmont O. Cumming.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1098-39-BZ)

WHEREAS, LeRoy P. Ward, for Society of Illustrators, Inc. owner, filed September 1, 1939, an application under sections 7b and 7c of the building zone resolution, to permit partly in a business use and partly in a residence use district, the alteration and conversion of occupancy of an existing building to a club and business use; premises: 128 East 63rd street, southside, 80 ft. west of Lexington avenue (Block No. 1397, Lot No. 60), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 14, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 62nd street and East 63rd street are in residence and business use districts; Lexington avenue is in a business use district and Park avenue is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings dated August 28, 1938, reads:

"The use of business and a club customarily carried on as a business in a residence district extending from a business use district, is contrary to Sec. 3 of the Building Zone Resolution. Note also structural changes necessary to convert building to business and addition of mezzanine in connection with store, which structural

changes should be approved by the Board of Standards and Appeals."

and

WHEREAS, the existing building is non-fireproof, five (5) stories in height, 25 ft. frontage and a depth of 96 ft. on 1st story and 70 ft. above; the westerly portion of the building (having a frontage of 20 ft.) is located in a business use district and the easterly portion (having a frontage of 5 ft.) is in a residence use district. It is proposed to alter the existing building and to convert the occupancy of same to a club and business use; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under sections 7b and 7c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the use district regulations of the building zone resolution and that the application be and it hereby is granted under sections 7b and 7c thereof, for extension of the proposed business use into the more restricted district and the building to be occupied for the use proposed, on condition that this variance shall continue only so long as the use proposed is maintained; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable, and that all permits required shall be obtained and all work involved, shall be completed within one year from the date of this resolution.

APPEAL FROM ADMINISTRATIVE DECISION

1046-39-A.

APPLICANT—Edwin W. Kleinert and A. Stanley Miller, for Security Construction Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-01 57th road (Block No. 2796, part of Lot No. 13 and Block No. 2797, Lot No. 1), Maspeth, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

APPEARANCES—

For Applicant: Edwin W. Kleinert and A. Stanley Miller.

For Opposition: Jacob Friedland, William Penn, Peter Zulek, Rose Moros, B. Graff and others.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1046-39-A)

WHEREAS, Edwin W. Kleinert and A. Stanley Miller, for Security Construction Corporation, owner, filed August 17, 1939, an appeal from a decision of the borough superintendent of buildings (under section 35, general city law Re: bed of mapped street), affecting premises; 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-01 57th road (Block No. 2796, part of Lot No. 13 and Block No. 2797, Lot No. 1), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. 4754-39, dated August 15, 1939, reads:

"#9. Obtain approval from Board of Standards and Appeals for the erection of a building in the bed of a mapped street."

and

WHEREAS, the proposed building will be one story (15 ft.) in height, 126.31 ft. front by 125 ft. mean in depth; of Class 3 construction; located in business and residence use district; to be occupied as stores; and

WHEREAS, a portion of the premises lies within the bed of 70th street as laid out on the city map; and

WHEREAS, the Engineer in Charge of the Topographical

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Bureau, Borough of Queens, has advised the board that a final map will be prepared for submission to the Board of Estimate, showing the elimination of 70th street between 57th road and Grand avenue; and

WHEREAS, the applicant states that it is proposed to cede to the city, the necessary property to open 70th street from 57th road, south to 57th drive, if the permission herein sought is granted; and

WHEREAS, the applicant contends that the Topographical Bureau deems the area to be over-streeted; that no property owner, other than the owner of the property under appeal, will be excluded from frontage on the mapped street; and

WHEREAS, notice of this hearing has been published in the Bulletin of the board and in a local newspaper.

Resolved, that the decision of the borough superintendent on N.B. Applic. 4754-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, under the power granted to the board under the provisions of section 35 of the general city law, to permit the construction in the bed of 70th street, as proposed, *on condition* that any building erected shall comply with all laws, rules and regulations applicable thereto, including the requirements of the zoning resolution and any variance as may be granted thereunder, *on condition* that the owner of the bed of 70th street shall cede to the city, without cost thereto, such property as is now in its ownership and as may be necessary for the construction of 70th street from 57th road to 57th drive, substantially as shown on map prepared by the Topographical Bureau of the Borough President of Queens and known as Map 2715, dated October 3, 1939.

Adjourned, 1:05 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 14, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

971-27-BZ.

APPLICANT—Assets Funding Corporation, lessee, for George W. Perkins and Dorothy P. Freeman, owners.

SUBJECT—Application for consideration — reopening — amendment as to additional use as repair shop—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—270 Dyckman street, south side, 488.11 ft. west of Broadway (Block No. 2246, Lot No. 43), Borough of Manhattan.

APPEARANCES—

For Applicant: Richard Kulze.

ACTION OF BOARD—Application reopened and set for hearing, December 12, 1939 at 2 P.M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

77-33-BZ.

APPLICANT—Martin C. Epstein, for Vincent J. Repaci, owner.

SUBJECT—Application reopened October 17, 1939 re extension of permit—re Application (decision of the superintendent of buildings) previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the

erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Borough of Queens.

APPEARANCES—

For Applicant: Martin C. Epstein and Matilda Castle.

For Opposition: None.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(77-33-BZ)

WHEREAS, Anthony P. Sorice, Jr., for Vincent J. Repaci, owner, filed February 27, 1933, an application under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises: southeast corner of New York boulevard and Linden boulevard (Block No. 3083, Lot No. 21), Cedar Manor, Queens; and

WHEREAS, this application was granted by the board March 13, 1934 for a period of five (5) years, on certain conditions and applicant requested an extension of the period; and

WHEREAS, this application was reopened by vote of the board on October 17, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 14, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the board deemed that the applicant was entitled to an extension of the five year period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 13, 1934, only so far as it refers to the term of this permit, so that as amended, the resolution shall read:

“Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 of the building zone resolution for a period of five years from the date of this *amended resolution on condition* that the entire area shall be leveled substantially to the grade of Linden boulevard and New York boulevard; that there shall be erected on the interior lot lines continuously from Linden boulevard to New York boulevard a wooden fence constructed of timber posts and half-timber rails and not less than 5 ft. in height; that the accessory buildings consisting of an office and a covered section for greasing shall be erected toward the centre of the plot, as indicated on plans filed with this application; that these buildings shall be constructed of incombustible materials except that the roof beams, roof boarding, windows and doors may be of wood; that the ceilings throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the roofs shall be covered with incombustible materials; that the greasing pits shall be constructed with the front left open; that no gasoline pumps shall be erected nearer than 10 ft. to either street building line or interior lot line or within 10 ft. of any portion of the main wall of accessory building; that there shall be not over three curb cuts from Linden boulevard and not over two from New York boulevard, each cut not to exceed 30 ft. in width; that the entire plot where not covered by accessory buildings shall be either cement-paved or covered by cracked bluestone, except the area as indicated on the plans, which shall

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be landscaped and maintained in a presentable condition at all times; that signs advertising nonconforming uses shall be limited to the illuminated globes of the gasoline pumps and to two post standards toward the Linden boulevard front of the property, where indicated; that the lights from these standards shall be equipped with metal reflectors so as to throw the light away from the adjacent buildings; that there shall be no automobile repairing carried on in the premises and no storage or parking of cars other than those being serviced; that there shall be no open flame permitted on the property; that no portable gasoline pumps shall be permitted on the property; that there shall be no open excavations on any portion of any accessory buildings except for the greasing racks; that all permits shall be obtained within three months and all work completed within six months from the date of this amended resolution.

1072-23-BZ.

APPLICANT—Viola M. Smith, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application previously granted on condition for a temporary period, permitting in a residence use district, the maintenance of a garage for the storage of more than five (5) motor vehicles, four (4) spaces rented to persons not residing on the premises.

PREMISES AFFECTED—41 Richmond street, east side, 322 ft. south of Jamaica avenue (Block No. 4103, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Viola M. Smith.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1072-23-BZ)

WHEREAS, this application, affecting premises 41 Richmond street, east side, 322 ft. south of Jamaica avenue (Block No. 4103, Lot No. 8), Borough of Brooklyn, was granted by the board at its meeting November 20, 1923, for a temporary period, amended November 9, 1937, and permit has been extended from time to time, and owner has now requested a further extension of the permit.

Resolved, that the resolution of the board adopted November 20, 1923, as amended November 9, 1937, be *reaffirmed* in all respects except as to the termination of the temporary permit and that the resolution be amended so that the last clause shall read: "and that this variance shall be for a temporary period not extending beyond two years from the date of this amended resolution."

331-32-BZ.

APPLICANT—Falk and Orleans, for Elljane Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), under section 7f of the building zone resolution, permitting in a business use district, the maintenance of a gasoline service station for a temporary period (previously granted by the board).

PREMISES AFFECTED—Southeast corner of Boston road and Astor avenue (Block No. 4343, Lot No. 30), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Falk.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(331-32-BZ)

WHEREAS, this application affecting premises southeast corner of Boston road and Astor avenue (Block No. 4343, Lot No. 30), Borough of The Bronx, was granted by the board September 23, 1932, for a temporary period of two years on certain conditions under section 7, subdivision F, time extended to June 9, 1935, temporary period extended October 15, 1935 and November 16, 1937, and the owner, through its attorneys, requested a reopening of the application and an extension of the permit; and

WHEREAS, the board deemed that under the decision of the court in the matter of William Borea Construction Co. vs. Murdock, the board was empowered to grant a continuation of the permit in view of absence of new development in the area.

Resolved, that the resolution adopted by the board on September 13, 1932, as amended October 15, 1935 and November 16, 1937, be and it hereby is *amended*, so that as amended the resolution will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7, subdivision F thereof, for a period of two years from the date of this *amended resolution*, on condition that all gasoline pumps shall be set back not less than 10 ft. from the street building lines of Astor avenue and Boston road; that there shall be but two entrances to the station, both from Boston road; that opposite these entrances the curb cuts shall be erected, not exceeding 25 ft. wide each; that there shall be no entrance or exits on Astor avenue; that all uses accessory to the conduct of the gasoline station business shall be housed in a one-story structure; that advertising signs shall be confined to the illuminated globes of the gasoline pumps; that there shall be erected on the interior lot lines an enclosing fence of wood or heavy woven wire not less than 5 ft. high; that no parking shall be permitted on the premises; that no automobile repairing shall be done on the premises; that no portable gasoline pumps shall be used on or from the property; that all permits shall be obtained within three months and all work completed within six months from the date of this *amended resolution*."

APPEALS FROM ADMINISTRATIVE DECISIONS

1058-39-A.

APPLICANT—First Avenue Bathing Corporation, lessee, for Lomis Realty Corporation, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—24 First avenue, east side, 44 ft. south of East Second street (Block No. 429, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Oscar Liebling.

ACTION OF BOARD—Laid over to November 21, 1939 at 2 P.M., on request of applicant's representative.

1290-39-A.

APPLICANT—Rabbi Dr. Sigmund J. Rome, for Bluma Rome, adjoining property owner.

OWNER OF PREMISES—Louis Kamisher.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Alt. Applic. No. 840-39.

PREMISES AFFECTED—883 Eastern parkway, north side, 87 ft. east of Albany avenue (Block No. 1388, Lot No. 74), Borough of Brooklyn.

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APPEARANCES—

For Applicant: Sigmund J. Rome, Anna Swanson, and Violet Loft.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 28, 1939 at 2 P.M., for inspection by a committee of the board.

1177-39-A.

APPLICANT—Joshua R. Brown, for 60-19 Roosevelt Avenue Corporation, owner.

SUBJECT—Application for consideration—restoration to Calendar—re Appeal from a decision of the borough superintendent of buildings (previously withdrawn).

PREMISES AFFECTED—60-19—60-21 Roosevelt avenue, northeast corner of 60th street (Block No. 1229, Lot No. 16), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Joshua R. Brown.

ACTION OF BOARD—Appeal reopened and restored to calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1271-39-A.

APPLICANT—Waid and Corbett, for Metropolitan Life Insurance Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—11-25 Madison avenue and 38-60 East 25th street, southeast corner (Block No. 841, Lot Nos. 1 to 41, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: John H. Derby.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1300-39-A.

APPLICANT—A. F. Meissner, for Rev. George D. Sherman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—84-05 78th avenue, northeast corner of 84th street (Block No. 3840, Lot No. 24), East Glendale, Borough of Queens.

APPEARANCES—

For Applicant: A. J. Patrizio and Fred Severud.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1302-39-A.

APPLICANT—Andrew D. Camillo, for James Rotondo, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—17 Stryker court, north side, 114.7 ft. east of Stryker street (Block No. 7174, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Hazel D. Camillo.

ACTION OF BOARD—Appeal withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

981-39-A.

APPLICANT—Acme Quilting Co., lessee, for Bush Terminal Buildings Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—87 34th street, northwest corner of Third avenue (Block No. 683, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. H. Barashick.

For Administration: Inspector Johnson, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(981-39-A)

WHEREAS, Acme Quilting Co., lessee, for Bush Terminal Buildings Corporation, owner, filed on July 19, 1939, an appeal from an order and decision of the fire commissioner, affecting premises 87 34th street, northwest corner of Third avenue (Block No. 683, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 79931-LC, dated May 22, 1939, reads:

"With reference to your application dated April 25, 1939, for transfer of Permit No. B-253860, expiring June 20, 1939, authorizing storage of 5 tons combustible fibre, from 6010-20 11th avenue, Brooklyn, to the above premises, please be advised that this department is without power to transfer this permit for the reason that Section C-19-149-0-c-5, prohibits the issuance of a permit for such storage in any building or premises where paints, varnishes or lacquers are manufactured, stored or kept for sale. Our inspector reports that paints and enamels are stored in these premises by another occupant.

1. You are therefore ordered to reduce the storage of loose combustible fibre to not more than one ton. Section C-19-149-0-c-5, Administrative Code."

and

WHEREAS, this order was repeated in a decision of the fire commissioner dated July 10, 1939; and

WHEREAS, the existing building is six stories (85 ft.) in height, Class 1 construction; 250 ft. by 650 ft. in area; erected in 1912; located in an unrestricted use district; equipped with a standpipe and sprinkler system; occupied: Basement, storage of olives and cherries, manufacture of corrugated boxes and storage of wines, 258 persons; first floor, storage of floor covering, manufacturing of furniture and auto polish, offices, storage of groceries and manufacturing of corrugated boxes, 47 persons; second floor, manufacturing of auto parts, millinery, gum tape, storage of groceries, 66 persons; third floor, manufacturing of auto products, manufacturing of quilting products, storage of groceries and manufacture of candies, 135 persons; fourth floor, manufacture of magnetos and machine parts, bottle caps and bottling of cod liver oil, 263 persons; fifth floor, manufacture of stained glass substitutes, stencils and lamp shades, printing, bookbinding, manufacturing clothing

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and electrical parts, 100 persons; sixth floor, manufacture of magnetos. Total occupancy throughout building 867 persons. Certificate No. 83321 was issued July 22, 1937, indicating allowable floor loads of 200 lbs. per superficial sq. ft.

Resolved, that the order of the fire commissioner, No. 79931-LC be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respect, the occupancy is maintained to the satisfaction of the fire commissioner; that the sprinkler and standpipe systems shall be maintained in accordance with the requirements therefor.

1231-39-A.

APPLICANT—A. Paul Loshen for A. Manber, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—119-09 103rd avenue, northwest corner of 120th street (Block No. 9487, Lot No. 36), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Leonard Lazarus and William Sammon.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1231-39-A)

WHEREAS, A. Paul Loshen for A. Manber, owner, filed October 6, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises: 119-09 103rd avenue, northwest corner of 120th street (Block No. 9487, Lot No. 36), Richmond Hill, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on alteration application No. 469-39, dated September 6, 1939, reads:

"1. As building could not be erected of frame construction.

(a) Proposed increase in occupancy is contrary to sect. 4.1.2 (permissible alterations in frame buildings with fire limits).

(b) Proper distance from side lot line not provided at garage, sect. 4.1.3.

(c) Three buildings attached, two of which are of frame construction cannot be erected within the fire limits sect. 4.1.3."

and

WHEREAS, the building is one and two stories (24 ft.) in height, 62 ft. by 22 ft. in area, of frame construction, located in a residence use district, erected prior to 1926 and occupied since 1932 as follows: Cellar, boiler room; 1st floor, dwelling, 1 family; 2nd floor, dwelling, 1 family; it is proposed to occupy the building: cellar, boiler room; 1st floor, 2 families; 2nd floor, 1 family; and

WHEREAS, the applicant contends that in 1937, a permit was granted to alter the building, as shown on plans filed with this appeal and marked P-1. Said plans called for the construction of an apartment of 4 rooms, bath and foyer; work was started but not completed according to plans; that the work as completed, represents an apartment similar to those originally permitted; that Alteration Plan No. 469-39 has been filed, so as to permit the issuance of a certificate of occupancy for the work, as it has been done and as shown on plans filed with this appeal marked Exhibit Q.

Resolved, that the decision of the Borough Superintendent acting on Alt. Applic. No. 469-39, be and it hereby is *modified* and that Alteration Applic. 954-37 be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, so as to permit the amendments, as now proposed

to be made to the aforementioned alteration application and for further consideration of the Borough Superintendent.

1247-39-A.

APPLICANT—South Jamaica Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Blocks bounded by 159th street, 107th, 108th and 109th avenues (Block Nos. 10126, 10137, 10138 and 10147), South Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Walter Wefferling and Allan S. Harrison.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1247-39-A)

WHEREAS, South Jamaica Project Associated Architects, for the New York City Housing Authority, owner, filed on October 10, 1939, an appeal from the decision of the borough superintendent of buildings, affecting premises: 106-24 to 106-56 159th street, 107-04 to 107-60 159th street, 108-02 to 108-60 159th street and 107-03 to 107-59 159th street (Block No. 10126, Lot Nos. 18, 19, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 49, 50 and 51; Block No. 10137, Lot Nos. 1, 9, 10, 11, 13, 17, 24, 31, 34, 36 and 37; Block No. 10138, Lot Nos. 1, 2, 3, 4, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 54, 58, 59, 60, 61 and 62 and Block No. 10147, Lot Nos. 1, 3, 5, 6, 7, 11, 12, 13, 14, 16, 23, 49, 50, 51, 52, 53, 54, 55 and 56), South Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. Nos. 6803-4-5 and 6806-39, dated September 25, 1939, reads:

"Roof insulation must be covered by 1½ of cement concrete as required by Sec. 10.3.1 of the Building Code."

and

WHEREAS, the premises consist of a large plot on which it is proposed to locate eleven, 3- and 4-story Class 1 constructed buildings, to be occupied as Class A multiple dwellings, as shown on plans filed with this appeal; and

WHEREAS, it is proposed to use a roof constructed of 4½ inch flat, reinforced stone concrete slab, over which is directly applied not less than one inch or more than 2 inches of insulating material surfaced with 4-ply felt and gravel or slag roofing material. The pitch and felt roof will be laid according to the manufacturer's specifications for 4-ply work with the last application of pitch increased to 75 lbs. per 100 sq. ft. and the last application of slag increased to 450 lbs. per 100 sq. ft.; and

WHEREAS, the applicant contends that similar construction is being used on the Red Hook, Queensbridge and Metropolitan Housing developments; that the addition of 1½ inches of concrete weighing 18 lbs. per sq. ft. would require additional structural reinforcing throughout.

Resolved, that the decision of the borough superintendent on N.B. Applic. Nos. 6803-4-5 and 6-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the roofing material shall be of an approved type; that over the top ply of felt there shall be not less than 50 lbs. of top mopping high melt point asphalt or pitch, into which slag not less than 150 lbs. per square shall be embedded; that after tamping, all loose slag shall be removed and a top mopping of high melt-point asphalt

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or pitch shall be applied at the rate of not less than 70 lbs. per square, over which shall be placed, an additional slag at the rate of 300 lbs. per square; that in the event gravel is used in place of slag, the above-required quantities per square shall be increased $33\frac{1}{3}$ per cent.

1252-39-A.

APPLICANT—Arthur F. Winter, for F. W. Woolworth Co., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—585-587 Eighth avenue, west side, 49 ft. 5 in. south of West 39th street and 306 West 39th street (Block No. 762, Lot Nos. 38-39-44), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles C. Arthurs.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1252-39-A)

WHEREAS, Arthur F. Winter, for F. W. Woolworth Co., owner, filed on October 10, 1939, an appeal from an order and decision of the fire commissioner, affecting premises 585-587 Eighth avenue, west side, 49 ft. 5 in. south of West 39th street and 306 West 39th street (Block No. 762, Lot Nos. 38-39-44), Borough of Manhattan; and

WHEREAS, Order No. 5060-LF issued by the fire commissioner June 23, 1939, reads:

"Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply arranged and equipped as per Article 16, Chapt. 26, Adm. Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated September 8, 1939; and

WHEREAS, the building is 3 stories (40 ft.) in height, 25 ft. and 49 ft. 4 in. by 125 ft. in area, with an L fronting 25 ft. on West 39th street, of fireproof construction; located in a business use district; erected in 1928 and occupied: Cellar, stock and storage, 2 persons; 1st floor, store, 75 persons; 2nd floor, restaurant and cabaret, 135 persons; 3rd floor, pool room—15 persons, as permitted by Certificate of Occupancy No. 13960, dated March 16, 1929; and

WHEREAS, the applicant contends that the building is equipped with adequate exits; that the cellar is adequately ventilated; that aisles are maintained 3 ft. wide and kept clear at all times; that the cellar ceiling is of fireproof material; all partitions in cellar are fireproof; that the amount of celluloid stored in this basement is approx. .7 of 1 per cent of the entire stock and that this is a merchandise store common to the 5 and 10c store occupancy.

Resolved, that the order of the Fire Commissioner, No. 5060-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25 per cent in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and $1\frac{1}{2}$ inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, wastepaper room and kitchen, if any, shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross-connected and so equipped with check valves at the domestic water supply and at the pumper inlet, so that all heads shall be under

fire department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 in. above the sidewalk and that the cap of this hose inlet and sign stating area covered, shall be painted aluminum.

1259-39-A.

APPLICANT—Homa Realty Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—30-01 to 30-25 49th avenue, 48-01 30th street, southwest corner, 30-02 to 30-28 48th avenue and 48-02 30th place (Block No. 287, Lot No. 11), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Bernard Kovner and John S. Quinn.

For Administration: Thomas A. Larkin, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1259-39-A)

WHEREAS, Homa Realty Corporation, owner, filed October 11, 1939, an appeal from an order of the fire commissioner affecting premises: 30-01 to 30-25 49th avenue, 48-01 30th street, southwest corner, 30-02 to 30-28 48th avenue and 48-02 30th place (Block No. 287, Lot No. 11), Long Island City, Borough of Queens; and

WHEREAS, Order No. 3255-LF, issued by the fire commissioner September 25, 1939, reads:

"1. Arrange the standpipe system to conform to the requirements of Article 17, Chapter 26 of the Administrative Code of the City of New York by complying with the following orders:

(a) Properly repair the break in four inch standpipe line at west side of building underneath floor of 1st story.

(b) Seal open all control valves of standpipe system with proper seal consisting of chain and lock to prevent unauthorized persons from operating same. Art. 17, Ch. 26, Administrative Code of the City of New York.

(c) Lower standpipe siamese connection east side of building so that same will be between 18 inches and three feet above the ground, set in a horizontal position accessible to the fire department.

(d) Properly cap roof outlet of standpipe system at roof. C19-161.0 Administrative Code of the City of New York.

(e) Arrange for a flow test by washing and cleaning of the standpipe system. Said test must be conducted in the presence of a representative of this department and show 50 lbs. hydrostatic pressure in excess of working pressure of the system for half an hour.

NOTE: Test is to be arranged for and conducted after all defects are complied with and said test is held at the owners risk. The Fire Department, Division of Fire Prevention must be notified at least 48 hours before the test. 490 A 2 New York City Charter."

and

WHEREAS, the building is three stories (50 ft.) in height, 239 ft. 6 in. by 200 ft. in area, of Class 1 Construction, located in an unrestricted use district, erected in 1926 and occupied: 1st floor, manufacture of corrugated shipping containers, 45 persons; 2nd floor, same; 3rd floor, vacant; the building is equipped with a sprinkler system and a fire alarm system; and

WHEREAS, the applicant contends that at the time of the erection of the building, the standpipe system was in-

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stalled with all the pipe placed underneath the concrete floor of the first floor and there is no excavation under this first floor; that when a break occurs in the pipe, it is necessary to break up the concrete flooring to discover the leak; that the first floor tenant has large and heavy machinery which prevents such excavation.

Resolved, that the order of the Fire Commissioner, No. 3255-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that the interior fire alarm system shall be maintained and that such additional portable fire-fighting appliances shall be maintained throughout the building as the fire commissioner shall direct; that the standpipe system siamese shall be removed and the outlet capped.

1301-39-A.

APPLICANT—L. S. Stiles, for Brooklyn Union Gas Company, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Northeast corner of Maspeth avenue and Varick avenue (Block No. 2838, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: L. S. Stiles and Wm. M. Weafer.

For Administration: Inspector Johnson, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

THE RESOLUTION—

(1301-39-A)

WHEREAS, L. S. Stiles, for The Brooklyn Union Gas Company, owner, filed October 20, 1939, an appeal from the decision of the fire commissioner, affecting premises: northeast corner of Maspeth avenue and Varick avenue (Block No. 2838, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated September 29, 1939, reads:

"In response to your letter of September 28, 1939, relative to the proposed storage of volatile, inflammable oils and liquids to be extracted from illuminating gas by a process of distillation and rectification, at the Greenpoint Gas Manufacturing Works, located at Maspeth and Varick avenues, Brooklyn.

"It is regretted that your request must be denied for the reason that the tanks in which these oils and liquids will be stored, are in excess of one hundred thousand (100,000) gallons and are above ground, and that the intended process of rectification is prohibited by Section C19-49.0, Article 8, of the Administrative Code.

"The relief from the above decision may be sought of the Board of Standards and Appeals, Room 1002, Municipal Building, Manhattan."

and

WHEREAS, the premises consist of a plot fronting approximately 2000 ft. on Maspeth avenue and 1997 ft. on Varick avenue, running through to Newtown Creek, upon which there is located a gas manufacturing plant and upon which it is proposed to erect one 100,000 gallon capacity and one 250,000 gallon capacity tank for the storage of reclaimed gas oil, these tanks to be located as shown on plans filed with this appeal, each tank to be enclosed in a concrete moat having a capacity of 1½ times the capacity of the tank, and to be provided with a foam fire extinguishing system connected to the existing foam system now installed; and

WHEREAS, the applicant contends that the 250,000 gallon storage tank will contain motor fuel, and the 100,000 gallon tank will contain distillate; that each of these products will flash below 100° F.; that it is safer to locate the tanks

above the ground as proposed, so that they can be inspected daily and that due to existing ground water conditions, the tanks cannot be buried because of ground water conditions.

Resolved, that the decision of the fire commissioner, dated September 29, 1939, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the stripping of the oil by-product of the gas manufacturing process to separate the benzolized wash oil from the lighter oil and further distillation of the lighter oil, *on condition* that such process is carried on in the structures as indicated on plans filed with this appeal, marked "Received October 20, 1939," such structure being located adjacent to Maspeth avenue; that the proposed tanks shall be located as indicated on plans filed, adjacent to Varick avenue, near Lombardy street and shall consist of two tanks with dyke enclosures, as indicated, one with a capacity of 250,000 gallons and one 100,000 gallons and with the distance between dykes as shown on such plans and with no dyke less than 100 feet from Varick avenue; that in addition to the existing fire-fighting equipment for general plant protection, such additional equipment for protection of the storage tanks and structures shall be installed as the fire commissioner shall direct; that the products shall be pumped by underground mains to the storage tanks within the dyke enclosure; that the products when shipped from the premises, shall be pumped from the storage tanks through underground piping to tank barges or tank cars on floats; that further distillation of the lighter oil by means of stills may be permitted, provided the products produced by such distillation are shipped from the premises as herein provided; that this modification with the conditions set forth, shall remain in force only so long as the premises are used generally for the manufacturing of illuminating gas; that the storage tanks shall be constructed of steel and jacketed with a ceramic covering and in all other respects shall comply with all laws, rules and regulations applicable thereto.

1303-39-A.

APPLICANT—Lama and Proskauer, for Michael Censullo, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—42 Floyd street, south side, 390 ft. east of Nostrand avenue (Block No. 1742, Lot No. 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Michael Censullo.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

THE RESOLUTION—

(1303-39-A)

WHEREAS, Lama and Proskauer, for Michael Censullo, owner, filed October 23, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 42 Floyd street, south side, 390 ft. east of Nostrand avenue (Block No. 1742, Lot No. 24), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings on Alteration Application No. 4172-39, dated October 19, 1939, reads:

"Your request of October 5th to revoke certificate of occupancy No. 84031 is hereby denied as the authority to revoke a certificate of occupancy is vested in the Board of Standards and Appeals."

and

WHEREAS, the building is 3 stories (34 ft.) in height, 25 ft. by 52 ft. in area, of Class 4 construction, located in a business use district, erected in 1901 and occupied: Cellar,

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ordinary; first floor, store and 1 family; 2nd floor, 1 family; 3rd floor, vacant; proposes to occupy: Cellar, same; first floor, same; 2nd floor, 2 families; 3rd floor, 2 families; and

WHEREAS, the applicant contends that Certificate of Occupancy No. 84031 was issued after an application was made to change the building from 5 families and store to 2 families and store, as a temporary expedient, as the owner did not have sufficient finances to comply with the violations of the tenement house department; that the certificate of occupancy should be revoked as the building has never ceased to be arranged, intended and designed for use as a multiple dwelling, as defined in section 4, Paragraphs 1, 2, 3 and 29 of Article 1 of the Multiple dwelling law; and

WHEREAS, the board deemed that the certificate of occupancy had been improperly issued for the change of use from a tenement to a two family residence building.

Resolved, that the decision of the Borough Superintendent on Alteration Application No. 4172-39, be and it hereby is *reversed* and that the appeal be and it hereby is *granted* revoking Certificate of Occupancy No. 84031 and Permit No. 5533-36.

1327-39-A.

APPLICANT—Warren H. Fenton, for the Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—3069-3121 Avenue Z, northwest corner of Knapp street (Block No. 7452, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Warren H. Fenton and Carl Hartzelius.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1327-39-A)

WHEREAS, Warren H. Fenton, for the Department of Public Works, City of New York, owner, filed on October 26, 1939, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises: 3069-3121 Avenue Z, northwest corner Knapp street (Block No. 7452, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. 2486-39, dated October 16, 1939, reads:

"6. Comply with 10.3.1 of Code as to roof covering on cork insulation."

and

WHEREAS, the proposed building will be one story and basement, (48 ft.) in height, 212 ft. 8 in. by 202 ft. in area; of Class 1 construction; located in an unrestricted use district and occupied throughout as a pump and power house in connection with the existing sewerage treatment plant on the same plot; and

WHEREAS, it is proposed to omit the 1½ inches of Portland cement concrete, as required by Section 10.3.1 of the Code, between the 2-inch cork insulation and the roof surfacing material, as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that the requirement of the Code is excessive; that due to the isolated position of the building, there is slight chance of a fire starting on the roof.

Resolved, that the decision of the borough superintendent on N.B. Applic. 2486-39 as to Objection No. 6, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the roofing materials shall be of an approved type; that over the top ply of felt, there

shall be not less than 50 lbs. of top mopping high melt point asphalt or pitch, into which slag not less than 150 lbs. per square, shall be embedded; that after tamping, all loose slag shall be removed and a top mopping of high melt point asphalt or pitch shall be applied at the rate of not less than 70 lbs. per square, over which shall be placed an additional slag of not over 300 lbs. per square; that in the event gravel is used in place of slag, the above required quantities per square shall be increased 33⅓ per cent.

1351-39-A.

APPLICANT—Ely Jacques Kahn for Piel Brothers, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—117-151 Georgia avenue and 316-326 Liberty avenue, southeast corner (Block No. 3702, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. B. Neuman.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1351-39-A)

WHEREAS, Ely Jacques Kahn, for Piel Brothers, owners, filed on November 2, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 117-151 Georgia avenue and 316-326 Liberty avenue, southeast corner (Block No. 3702, part of Lot No. 1), Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Alteration Application No. 4254-39, dated October 26, 1939, reads:

"1. Areas within fire walls to be within the limits of Section 4.2.1 for Class 3 building, unless sprinkler system is provided, when areas within fire walls can then be doubled."

"2. Areas within fire partitions or fire walls to be less than 10,000 square feet, or standpipe system to be provided. Section 16.1.1."

"3. Increase in height of building, or any portion thereof to exceed the permissible for Class 3 building, as set forth in Section 4.2.1 is contrary to Section 4.2.2."

and

WHEREAS, the building is six stories (85 ft.) in height, 300 ft. by 103 ft. 6 in. in area; of Class 3 construction, erected 1892-1896, located in unrestricted use district and partially equipped with a sprinkler system; and

WHEREAS, it is proposed to erect a fireproof extension, 29 ft. 6 in. by 46 ft. 3 in. in area at the fourth, fifth and sixth story levels of the central portion of the existing building, as shown on plans filed with this appeal. The building is occupied as follows: Sub-cellar—brine tank; cellar—racking room, 10 persons; 1st floor—storage, keg washing, boiler room and engine room, 12 persons; 2nd floor—storage, brewing, locker room and machine shop, 6 persons; 3rd floor—storage and brewing, 3 persons; 4th floor—storage and brewing, 3 persons; 5th floor—brewing, 2 persons; 6th floor—brewing, 1 person; and

WHEREAS, the applicant contends to Objection No. 1, that areas within fire walls do not exceed 12,500 square feet, as permitted by the Code, except that the openings in such fire walls are not provided with protective assemblies, as required. As to Objection No. 2, that the only question involved is the adequacy of the protection on the fire wall openings. As to Objection No. 3, that the proposed extension will be fireproof; that in view of the construction of the building, which is almost entirely of in-

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combustible materials and where incombustible materials are not used, such portions of the building are fully sprinklered. In view of the fact that the building is used entirely for a wet process, with no combustible material stored therein, except in the cooperage shop, a modification is respectfully requested, so as to omit the sprinkler system and the standpipe system. Such additional fire protection on openings that the board may require, will be provided, and permit the extension of the building, on condition that the extension be entirely of fireproof construction.

Resolved, that the decision of the borough superintendent, on Applic. No. 4254-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection Nos. 1, 2 and 3, *on condition* that the building shall not be increased in height or area; that where wood refrigerator doors are now installed in the cellar, 1st floor and 3rd floor, such doors shall be protected by an additional covering of steel not less than 16 gauge in thickness; that such sprinkler systems as are installed shall be maintained to the satisfaction of the fire commissioner; that the opening on the 1st floor for keg conveyor shall be protected with a steel shutter not less than ¼ inch in thickness, arranged with a counter weight so as to normally remain closed and shall be reasonably tight fitting; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, except as varied under Cal. No. 1352-39-S and granted only so long as the buildings are continued substantially as presently occupied.

1385-39-A.

APPLICANT—Albert Kaufman, for Puritan Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—297-307 Lenox road, north side, 79 ft. 8½ in. east of Nostrand avenue (Block No. 4837, Lot Nos. 89-91), Borough of Brooklyn.

APPEARANCES—

For Applicant: Albert Kaufman.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1385-39-A)

WHEREAS, Albert Kaufman, for Puritan Realty Corporation, owner, filed November 13, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 297-307 Lenox road, north side, 79 ft. 8½ in. east of Nostrand avenue (Block No. 4837, Lot Nos. 89-91), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on N.B. App. No. 2231-39, dated November 13, 1939, reads:

"Application of Ecod Lath on more than two (2) stories without scratch coat, is contrary to Sec. 8.4.10.2 of Building Code and the omission of the required perforations is contrary to the approval of the Board of Standards and Appeals."

and

WHEREAS, the proposed building will be 6 stories (59 ft. 4 in.) in height, 100 ft. by 144 ft. 6 in. in area, of Class 3 construction, to be located in a residence use district and occupied throughout as a Class A Multiple Dwelling; and

WHEREAS, the applicant contends that it is proposed to use the Reynolds Flameproof Ecod Lath throughout the building, without interruption and to omit the perforations in the horizontal V ribs, as required by the board in its approval of this material.

Resolved, that the decision of the borough superintendent be and it hereby is modified as to N.B. App. No. 2231-39

and that the appeal be and it hereby is *granted on condition* that the lath shall comply with the requirements of the board, as set forth under Cal. No. 714-38-SM, as corrected and printed in the Bulletin of the board of September 26, 1939, when such lath is used in connection with a one hour partition.

1640-21-A.

APPLICANT—Hugo Taussig, for Bruenn Realty Corporation, owner.

SUBJECT—Application for consideration—reopening on new proposal (request to reopen previously denied) re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—36 Central Park South (West 59th street), south side, 375 ft. west of Fifth avenue (Block No. 1274, Lot No. 62), Borough of Manhattan.

APPEARANCES—

For Applicant: Hugo Taussig.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1640-21-A)

WHEREAS, M. P. Doyle, for Randolph Realty Corporation, owner, filed December 14, 1921, an appeal with the Board of Appeals from an order of the fire commissioner, affecting premises: 36 Central Park South (West 59th street, south side, 375 ft. west of Fifth avenue) (Block No. 1274, Lot No. 62), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 19693-F, dated March 22, 1921, reads:

"1. Provide a tank on roof of at least 3,500 gallons capacity for the standpipe system."

and

WHEREAS, this appeal was granted by the board, February 28, 1922; and

WHEREAS, applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of February 28, 1922, so that as amended it shall read:

"*Resolved*, that the order of the fire commissioner No. 19693-F, be and it hereby is *modified and the* appeal be and it hereby is *granted*, so long as conditions as to use and occupancy remain unchanged.

Resolved further, that in the event it becomes necessary to replace the tank, such may be permitted provided the capacity of the tank shall be not less than 4,200 gallons, as indicated on plans filed in this appeal and that such tank may be of steel-plate construction."

659-38-A.

APPLICANT—T. H. Engelhardt, for Cord Meyer Development Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block No. 2264, Lot No. 79), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: T. H. Engelhardt.

For Administration: Joseph Ferro, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

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THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(659-38-A)

WHEREAS, T. H. Engelhardt, for Cord Meyer Development Company, owner, filed July 22, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block No. 2264, Lot No. 79), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated July 14, 1938, re Alt. Applic. No. 2420-1938, reads:

"6. Ventilation to comply with 5.1.10 and 5.1.3 Code—

11. Provide a new standpipe system."

and

WHEREAS, the building is one story in height and it is proposed to add an additional story so that it will be two stories, 28.56 ft. in height, 207.32 ft. by 171.45 ft. in area, of fireproof construction, equipped with a sprinkler system, located partly in a business and partly in a residence use district and be occupied as follows: 1st floor—garage for more than five cars—15 persons; 2nd floor—garage for more than five cars—10 persons; and

WHEREAS, the one story building was erected in 1931, after the granting of a zoning variance by this board under Cal. No. 51-30-BZ; and

WHEREAS, the applicant contends that the structure was originally designed as a 4-story sprinklered fireproof garage and approved as such under N.B. 8357-29; that due to economic conditions, only the first story was erected; as to Objection No. 6, that the only ventilation required at the time of the erection of the present building was by means of windows, which have been provided and equivalent amount of window ventilation will be provided for the new story and in addition, adjustable vent openings will be installed in all 5 exterior walls in conformity with section 5.1.10 of the new Building Code; as to Objection No. 11, it is proposed to extend the existing two source wet sprinkler system through the second story; that no standpipe system was required in the original building; and

WHEREAS, this appeal was granted by the board July 22, 1939, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted by the board on July 22, 1939, only so far as it has reference to the sprinkler system, so that as amended, the resolution shall read:

"*Resolved*, that the decision of the borough superintendent of buildings, dated July 14, 1938, in acting on Alt. Applic. No. 2420-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Items 6 and 11, *on condition* that the ventilation of the new portion shall comply with the Administrative Code, C26-267.0 (5.1.10) but not including the provision of 5.1.3 and that the sprinkler system *on the 1st and 2nd floors* shall be extended to the new portion *or 3rd floor* and that such sprinkler system *may be accepted* in lieu of a standpipe system and that all requirements of the Building Code as to sprinkler systems shall be complied with in all respects; that the building and occupancy shall comply in all other respects with all laws, rules and regulations applicable thereto, as modified by the board as to zone under Cal. No. 50-31-BZ and as to signs under Cal. No. 31-38-A-WF."

VARIATIONS OF LABOR LAW

1352-39-S.

APPLICANT—Ely Jacques Kahn, for Piel Brothers, owners.

SUBJECT—Variation of the Labor Law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—117-151 Georgia avenue and 316-326 Liberty avenue, southeast corner (Block No. 3702, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. B. Neuman.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1352-39-S)

WHEREAS, Ely Jacques Kahn, for Piel Brothers, owners, filed on November 2, 1939, application for variation of the Labor Law, as cited in a decision of the borough superintendent of buildings, affecting premises: 117-151 Georgia avenue and 316-326 Liberty avenue, southeast corner (Block No. 3702, part of Lot No. 1), Brooklyn; and

WHEREAS, the decision of borough superintendent on Alteration Application No. 4254-39, dated October 26, 1939, reads:

"4. As a brewhouse is a factory, and is being increased in height, all exits throughout all portions considered as constituting one building are to comply with the requirements of Section 270 of the Labor Law."

and

WHEREAS, the building is six stories (85 ft.) in height, 300 ft. by 103 ft. 6 in. in area, of Class 3 construction, erected 1892 to 1896, located in unrestricted use district. The building is occupied as follows: sub-cellar—brine tank; cellar—racking room, 10 persons; 1st floor—storage, keg washing, boiler room and engine room, 12 persons; 2nd floor—storage, brewing, locker room and machine shop, 6 persons; 3rd floor—storage and brewing, 3 persons; 4th floor—storage and brewing, 3 persons; 5th floor—brewing, 2 persons; 6th floor—brewing, 1 person; and

WHEREAS, the building is equipped with one fireproof enclosed stairs, running from street to roof, 3 ft. 8 in. wide, equipped with fireproof self-closing doors at openings; one 3 ft. 10 in. wide open stairway, leading from first floor to roof; one fireproof enclosed iron spiral stairs, 2 ft. 9 in. radius and one open iron spiral stairs. In addition to these stairs, adequate horizontal exits have been provided between all buildings in this group and the building to the east, altered in 1937, which is not the subject of this application. All portions of the building are provided with at least two means of egress, with the exception of the central portion on the third and fourth floors, which portion is occupied on the third floor by brew kettles, with not more than one occupant, and on the fourth floor for mash tubs and the storage of malt, with not more than one occupant. Additional means of egress will be provided for these portions, if the board requires same; that such means of egress may consist of an exterior fire escape, or horizontal exit carried over the roof of the hop storage room to the building on the south, where egress may be had to the street by means of a fireproofed enclosed stairway, as shown on plans, or in lieu thereof, horizontal exits could be provided on each of the third and fourth floors through fire wall No. 2 through the building located at the intersection of Liberty and Georgia avenues and shown on plans as Stock House No. 1; and

WHEREAS, the applicant contends that in view of the light occupancy of the building and the fact that it is largely occupied by a wet process and the fact that the existing means of egress are adequate for the small number of occupants in each portion of the building, a variation is requested, so as to be permitted to construct the extension of fireproof construction without the necessity of complying with section 270 of the Labor Law throughout.

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Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, and that the application be and it hereby is *granted*, modifying the decision of the borough superintendent on Alt. Applic. No. 4254-39. Objection No. 4, *on condition* that the requirements of the resolution adopted under Cal. No. 1351-39-A shall be complied with and in addition that there shall be constructed for the full height of the building on the section used as brew house and where the vertical extension is proposed to be constructed, a fire escape complying in all respects with the requirements of the Labor Law and granted only so long as the buildings are continued substantially as presently occupied.

610-28-S.

APPLICANT—John J. Gilmartin, for Rambusch Decorating Co., owner.

SUBJECT—Application for consideration—reopening and amendment—re Variation of the Labor Law as cited in a decision re an order of the borough superintendent of buildings.

PREMISES AFFECTED—332 East 48th street, north side, 225 ft. west of First avenue (Block No. 1340, Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(610-28-S)

WHEREAS, John J. Gilmartin, for Rambusch Decorating Co., owner, filed, July 13, 1928, an application for a variation from the requirements of the labor law, as cited in an order of the fire commissioner, affecting premises 332 East 48th street, north side, 225 ft. west of First avenue (Block No. 1340, Lot No. 36), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated July 6, 1928 (Order No. 40366-LD), reads:

"1. Arrange fire escape on rear of building and the openings leading thereto and the windows opening on the course thereof so that same are in compliance with the provisions of Section 273 and 284 of the Labor Law and the rules of the Board of Standards and Appeals, or carry out a proper alternative method of complying with the requirements of Section 271 of the Labor Law.

"Among the defects noted are the following:

(b) No fireproof passageway from lower termination of fire escape to street."

and

WHEREAS, the building is non-fireproof, four stories in height, 25 ft. by 95 ft. in area; OCCUPIED by one tenant as a metal working establishment: 1st story, 10 persons; 2nd story, 10 persons; 3rd story, 3 persons; 4th story, 3 persons; EXITS: an interior wooden stairway, extending from the first story to top story (with iron ladder to scuttle in roof), enclosed in partitions constructed of wood, covered on both sides with 1/2-inch plaster boards, with wood doors at openings, with a 60-degree fire escape on the rear of the building, having fireproof openings along the course thereof, extending from the roof to the rear yard, with EGRESS from the termination of the fire escape by means of door in fence leading to yards of premises to east and thence through hallways at yard level leading to street; ROOFS of adjoining buildings: 8 ft. higher; and

WHEREAS, the applicant, in view of the light occupancy and non-hazardous use of the premises, requests the acceptance of the existing means of egress; and

WHEREAS, this application was granted by the board November 27, 1928, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on November 27, 1928, so that as amended, it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the application be and it hereby is *granted*, only so far as it affects the egress from the termination of the rear fire escape, *on condition* that a doorway in the fence leading to the open yard of the two adjoining premises to the east, namely 234-236 East 38th street, be maintained, with egress from the adjoining yards through hallway of tenement house direct to the street, *on condition* that the fire escape shall otherwise comply with the labor law in all respects and the building be not increased in height or area and so long as the occupancy remain unchanged.

Resolved further, that in the event the proposed exit to the east through buildings at 334-336 East 38th street cannot be maintained because of the reconstruction, the getaway from the termination of the rear fire escape may be by means of a doorway in the fence leading to the open yard at the west, from which access to East 38th street will at all times be available through an existing passage in the basement from yard to street; that if such getaway is maintained, it may be considered as satisfying the requirements of Violation 2663-39, issued by the borough superintendent of buildings."

APPLIANCES SUBMITTED FOR APPROVAL

892-39-SA.

APPLICANT—Circle Machinery Corporation, owner.

SUBJECT—Clearflow Economy 2-B Unit (dry cleaning machine), approval of.

APPEARANCES—

For Applicant: Louis Angers.

ACTION OF BOARD—Application withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

259-25-SA.

APPLICANT—Electrol Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment—re Electrol Oil Burner, Model JM.

APPEARANCES—

For Applicant: John J. Morro.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(259-25-SA)

WHEREAS, Automatic Oil Burner Corp., filed March 6, 1925, an application for approval of their device known as the Electrol Automatic Oil Burner; and

WHEREAS, the application was granted by the board at its meeting June 29, 1925, approving the burner for use with Grade "B" fuel oil and in domestic installations and applicant has improved the burner incorporating a priming pump, electric ignition and electric automatic controls, and the board at its meeting November 3, 1926, approved the

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burner as improved for use with Grade "A" and Grade "B" fuel oil in domestic installations and applicant requested its approval for commercial installations; and

WHEREAS, the Electrol Distributing Corp. requested approval of a modified burner known as the Electrol Automatic Oil Burner, Model BB, and a report of the chief of the bureau of fire prevention, dated November 3, 1932, recommended the approval of the Model BB for domestic and commercial installations; and

WHEREAS, a further request was made for approval of the Electrol Automatic oil burner Models "C" and "EA"; and

WHEREAS, these Models "C" and "EA" were the subject of a test and report by the Engineer of the board and the representative of the bureau of combustibles of the fire department, and the report recommended the approval of these models for domestic use; and

WHEREAS, the Homestead Engineering Corp., agent for Electrol, Inc., owner, requested an amendment to the resolution to include approval of Model TCV and the report of the engineer of the board recommended the approval of model TCV for domestic and commercial installations; and

WHEREAS, J. J. Morro, for Electrol, Inc., owner, requested a further amendment to the resolution to include the approval of Models TUV and TM; and

WHEREAS, these models were approved by the board June 21, 1938 and J. J. Morro requested approval of Model JM; and

WHEREAS, this model was inspected and tested by a committee of the board and found to operate satisfactorily; and

WHEREAS, request is now made for permission to market the Electrol Automatic Oil Burner, Model JM as the Great Eastern Oil Burner, Model JM and Novo Oil Burner, Model JM.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Electrol Automatic Oil Burner as improved in accordance with report of engineer of the board, for domestic and commercial installations, using Grade "A" and Grade "B" fuel oil, *on condition* and in conjunction with installations and equipment complying with the rules of the Board of Standards and Appeals.

Resolved, further, that the Board of Standards and Appeals does also *approve* the device known as the Electrol Automatic Oil Burner, Model BB, for domestic and commercial installations when installed in accordance with the report of the chief of the bureau of fire prevention and the rules of the Board of Standards and Appeals.

Resolved, further, that the Board of Standards and Appeals does also *approve* the device known as the Electrol Automatic Oil Burner, Models C and EA for domestic installations, when installed in accordance with Oil Burner Rules of the Board of Standards and Appeals and the report of the engineer of the board and the bureau of combustibles, fire department, for use with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards.

Resolved, further, that the Board of Standards and Appeals does also *approve* the Electrol Automatic Oil Burner, Model TCV, for domestic and commercial installations with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals.

Resolved, further, that the Board of Standards and Appeals does also *approve* the *Electrol Automatic Oil Burner*, Models TUV, TM and IM for domestic and commercial installations with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards and when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, *on condition* that the burner shall have permanently affixed thereto a label reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 259-25-SA.

Resolved, further, that the Electrol Automatic Oil

Burner, Model JM, may be marketed as the Great Eastern Oil Burner, Model JM and the Novo Oil Burner, Model JM, *on condition* that under whatever name marketed, the requirements of this resolution shall be complied with.

21-36-SA.

APPLICANT—Herco Oil Burner Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—Re Herco Oil Burner, Models R15 and R35.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(21-36-SA)

WHEREAS, Herco Oil Burner Corporation, owner, filed January 28, 1936, an application with the Board of Standards and Appeals, for approval of the device known as the Herco Oil Burner, Models R-15 and R-35; and

WHEREAS, the device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

This burner is of the mechanical draft pressure atomizing gun type and consists of the following assembly:

A Century 1/6 H.P. motor, a Sirocco type fan and a Monarch nozzle.

Either a Viking Monarch fuelstat consisting of a Viking Pump, Monarch strainer and regulating valve or a Tuthill fuel unit, which has already been approved by the board.

Ignition—electric, Jefferson transformer.

Controls—Minneapolis - Honeywell Protecto - Relay Type R-114-A and Minneapolis-Honeywell Aquastat.

With the oil supply shut off in the cold combustion chamber the burner was operated and the controls on two successive tests shut off the burner in 83 and 88 seconds, respectively. The burner was then put into operation under normal conditions for approximately 45 minutes. Controls were again tested and found to function properly. During the period of test there were no flarebacks and the flame was clean and free of smoke and soot. Examination of the combustion chamber showed no undue carbon deposits.

The models submitted differ only as to capacity, R-15 using 3½ gals. per hour and R-35 eight gals. per hour.

As a result of this inspection and test, it is recommended that these burners, Models R-15 and R-35, be approved for domestic, industrial and commercial uses, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, for fuel oil not heavier than No. 3; and

WHEREAS, the device was approved by the board March 31, 1936, and the owner, through its agent, David Kaufman, requested the addition of the name Shur-Heat, and now requests the addition of names Paragon Oil Burner Models R-15 and R-35, and Public Service Oil Burner, Models R-15 and R-35; and

WHEREAS, the owner requested an amendment of the resolution to include Models F, P-15, P-35, P-50, J-5, J-10, S-20, and S-40; and

WHEREAS, this application was reopened by vote of the board and referred to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board, supplemented by that of the Division of Combustibles of the Fire Department was substantially as follows:

MINUTES

This oil burner is of the pressure atomizing gun type and the various models submitted for approval consist of the following assembly:

MODEL P-15.—Consists of an Ohio motor; $\frac{1}{8}$ H.P. Sirocco type fan; Tuthill fuelstat consisting of pump; strainer and pressure regulating valve; nozzle, Monarch 1.65 to $3\frac{1}{2}$ gallons per hour. Ignition: Jefferson transformer.

MODEL F.—Same as Model P-15 except that parts are differently located.

MODEL P-35.—Is identical with Model P-15, with the exception that the Motor is $\frac{1}{6}$ H.P. and the nozzle has a capacity of $3\frac{1}{8}$ to 8 gallons per hour.

MODEL P-50.—This burner is of the atomizing gun type, consisting of the following assembly, $\frac{1}{3}$ H.P. motor; a Tuthill pump, a Detroit lubricator; pressure regulating valve, cuno strainer, Monarch nozzle of 10 to 18 gallons per hour.

MODEL J-5.—Is identical in assembly and construction as the P-15, the only difference being in the assembling of the parts.

MODEL J-10.—Is identical with the P-35, the only difference being in the location and assembly of the transformer and motor.

MODEL S-20.—The only difference in the Model S-20 is that a Webster Pump Unit is used in place of the Tuthill Fuelstat.

MODEL S-40.—Consists of Webster Pump set consisting of pump, pressure regulating valve; strainer; Monarch nozzle having a capacity of 8 gallons.

Model P-15 was tested and during the period of the test there was no flareback due to faulty ignition, and examination of the combustion chamber showed no undue carbon deposits.

The controls operated and shut the burner down on two tests in 70 and 72 seconds respectively.

As a result of this inspection and test it is recommended that the HERCO OIL BURNERS, MODELS F, J-5, J-10, P-15, P-35, P-50, S-20 and S-40, be approved for domestic, commercial and industrial installations with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards and when installed in accordance with the Oil Burner Rules, adopted by the Board of Standards and Appeals.

and

WHEREAS, this applicant requested an amendment of the resolution, to permit the marketing of this burner under the name "Friar Oil Burner", and "Rockville Oil Burner", Models J-5 and J-10.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Herco Oil Burner, Models R-15, R-35, F, P-15, P-35, P-50, J-5, J-10, S-20, and S-40, and as the Rockville Oil Burner, Models J-5 and J-10, for use in domestic, commercial and industrial installations, with fuel oil not heavier than No. 3 when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, that this burner Models R-15 and R-35, may also be marketed under the names of Shur-Heat Burner, Models R-15 and R-35, Paragon Oil Burner, Models R-15 and R-35, Public Service Oil Burner, Models R-15 and R-35 and Friar Oil Burner Models R-15 and R-35, on condition that under whichever name marketed this oil burning device shall bear a label permanently attached thereto reading as follows:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 21-36-SA.

725-39-SA.

APPLICANT—Sears-Roebuck and Company, owner.
SUBJECT—Air-O-Flame Portable Type Cabinet Oil Heaters, Models 103-76200, 103-76300, 103-76310, 103-76400 and 103-76410, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(725-39-SA)

WHEREAS, Sears Roebuck and Company, owner, filed June 15, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Air-O-Flame Portable Type Cabinet Oil Heaters, Models 103-76200, 103-76300, 103-76310, 103-76400 and 103-76410; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

RE: Cal. 725-39-SA.

Subject: Approval of Air-O-Flame Portable Type Cabinet Oil Heaters, Models 103-76200, 103-76300, 103-76310, 103-76400 and 103-76410.

November 14, 1939.

Sears Roebuck and Company, owner, filed June 15, 1939, an application with the Board of Standards and Appeals for approval of the Air-O-Flame Portable Type Cabinet Oil Heaters, Models 103-76200, 103-76300, 103-76310, 103-76400, and 103-76410, manufactured for them by the Florence Stove Company of Kankakee, Illinois.

Model 103-76200 is a portable circulating heater, containing a single five inch diameter burner bowl chrome steel inner tube and porcelain enameled outer tube, a removable 3 quart tank, woven asbestos lighter rings and the heater equipped with leg levelers.

The heaters are of the so-called Blue Flame Vaporizing Type. Oil is vaporized in a trough or bowl and the vapors pass up between perforated cylindrical shells, where air mixing internally with the vapors, results in a clean blue flame. The original generation of vapor is started by means of an asbestos kindler or wick in the Burner Bowl. The flow of oil to the burner is controlled by an accurate needle valve made of all brass parts. A stop is provided in the valve to prevent complete accidental withdrawal of stem.

The stuffing box is of a type having asbestos graphite packing taken up by a follower gland. The oil level at the burner is maintained so that even with the valve wide open the burner will give a clean safe fire. Oil is stored in a metal tank of not over two gallons capacity. Metal is copper bearing steel heavily coated with tin for rust proofing. All joints are locked, seamed and soldered. Tanks are reinforced by beading.

The tank rests in a lower reservoir in which a constant level is maintained by Barometric principle. Just above this constant oil level is an overflow hole so that in case of any damage to the tank which might destroy its vacuum, the oil will simply discharge outside of the heater preventing flooding of the burner.

The operating equipment is built into several sizes. All casings are made of not less than 22 gauge sheet steel. Casings are finished in high heat resisting paints.

Model 103-76200 is designed to heat 900 cu. ft. of space and has a 3 quart tank and a single 5 in. diameter burner bowl; Model 103-76300 is designed to heat 1400 cu. ft. of space and has a two gallon tank and two 4 inch diameter burner bowls; Model 103-76310 is the same heater with a cooking top; Model 103-76400 has a single 7 inch diameter burner

MINUTES

bowl enclosed in one half of heater with oil tank enclosed in other half and is designed to heat 1750 cu. ft. of space. Model 103-76410 is the same burner with cooking top.

Inspection and test of these burners was made at premises, West 31st street and 10th avenue.

On the basis of this inspection and test, it is recommended that Model 103-76200 and Model 103-76300 be approved for use in New York City with No. 1 fuel oil, on condition that the heaters bear a label reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 725-39-SA."

Relative to Models 103-76310, 103-76400 and 103-76410, two of these models have cooking tops and one has the tank enclosed, and are therefor not recommended for approval.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

WHEREAS, this report recommended approval of Models 103-76200 and 103-76300.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Air-O-Flame Portable Type Cabinet Heaters, Models 103-76200 and 103-76300, on condition that the appliance be manufactured, installed, operated and labelled in accordance with above report.

1209-39-SA.

APPLICANT—Evanoil Division of Evans Products Company, owner.

SUBJECT—Evanoil Heater, Circulating Type, Models F30, F40, F50, F70, SD30, SD40, SD50, SD70, E-7, E-8, E-10, E-88, SF-7, SF-8, DF-10 and DF-88, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1209-39-SA)

WHEREAS, the Evanoil Division of Evans Products Company, owner, filed October 3, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as the Evanoil Heater, Circulating Type, Models SF-7, SF-8, DF-10, DF-88, E-7, E-8, E-10, E-88, F-70, F-50, F-40, F-30, SD-70, SD-50, SD-40 and SD-30; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 1209-39-SA.

Subject: Evanoil Heater, Circulating Type, Models SF-7, SF-8, DF-10, DF-88, E-7, E-8, E-10, E-88, F-70, F-50, F-40, F-30, SD-70, SD-50, SD-40, SD-30—approval of.

The Evanoil Division of Evans Products Company, owner, filed October 3, 1939, an application with the Board of Standards and Appeals for approval of the Evanoil Circulating type oil burning Heaters, Models SF-7, SF-8, DF-10, DF-88, E-7, E-8, E-10, E-88, F-70, F-50, F-40, F-30, SD-70, SD-50, SD-40, and SD-30, under the Oil Burner Rules of the Board of Standards and Appeals.

A committee of the board inspected and tested these burners at the Underwriters Laboratories, Chicago, Ill., October 28, 1939. These heaters are designed to burn fuel oil not heavier than No. 2 U. S. Dept. of Commerce Standards. The oil is supplied to the burner from a gravity feed tank forming a part of the heater assembly. The burner is ignited manually and regulated entirely by hand.

They are intended for use in heating dwellings and stores, etc., but not for use in spaces in which gases or inflammable vapors may be present. The heaters are equipped with a constant level device which determines the maximum oil level in the fire pot, so that in case of delayed ignition or flame extinguishment the oil will be retained in the firepot and not discharged on the floor.

The constant level device, Detroit Lubricator CR 6236 is provided with an anti-flooding device which in event of float failure or improper seating of float valve, will operate a shut-off valve in oil supply line, not permitting further flow of oil.

The heater proper consists of an assembly of the following parts: firepot, radiating drum, outer shell, oil tank, oil strainer, constant level valve and oil lines and fittings. Models SF and DF are provided with shuttles, fan assembly and wiring. Flue pipe is provided with draft regulator.

Model SF-7 has a 7 inch diameter pot and consumes a maximum of 6 gallons of oil per hour.

SF-8	8 inches	8.3 gallons
DF-10	10 inches	12.3 gallons
DF-88	2-8 inches	15.5 gallons
E-7	7 inches	6 gallons
E-8	8 inches	8.3 gallons
E-10	10 inches	12.3 gallons
E-88	2-8 inches	15.5 gallons

The Firepot is a Breese Type bottom No. 18 gauge sheet steel, side 20 gauge perforated sheet metal. Maximum oil depth 1 inch, maximum oil tank capacity 6 gallons, except Models SF-7, SF-8, DF-10, DF-88, E-7, E-8, E-10 and E-88 have been approved by the Underwriters Laboratories, Lab. File No. MP 1215, November 28, 1931.

On the basis of the inspection and test, it is recommended that the Evanoil Circulating Type Oil Heater, Models SF-7, SF-8, DF-10, DF-88, E-7, E-8, E-10 and E-88, be approved for use in New York City on condition that the heater bear a label permanently affixed thereto reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1209-39-SA."

Relative to Models F-70, F-50, F-40, F-30, SD-70, SD-50, SD-40 and SD-30, these heaters are constructed similarly to the SF, DF and E models, but the tank capacity exceeds 6 gallons and therefore they fail to comply with Rule 4 of the Oil Burner rules of the Board of Standards and Appeals and approval cannot be recommended.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Evanoil Heater, Circulating Type, Models SF-7, SF-8, DF-10, DF-88, E-7, E-8, E-10 and E-88, on condition that the appliance be manufactured, installed, operated and labelled in accordance with above report.

MINUTES

MATERIALS SUBMITTED FOR APPROVAL

86-38-SM.

APPLICANT—David E. Kennedy, Inc., owner.

SUBJECT—X-Ite for Walls and Floors, approval of.

APPEARANCES—

For Applicant: Leroy Hendrickson.

ACTION OF BOARD—Application withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

628-38-SM.

APPLICANT—F. A. Burdett, for Wickwire Spencer Steel Company, owner.

SUBJECT—Wire Rope for Elevator Governors—approval of.

APPEARANCES—

For Applicant: H. P. Ralph.

ACTION OF BOARD—Application withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

144-38-SM.

APPLICANT—Geiger Engineering and Manufacturing Co., Inc., owner.

SUBJECT—Geiger Prefabricated Steel and Reinforced Concrete Construction, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

THE RESOLUTION—

(144-38-SM)

WHEREAS, the Geiger Engineering and Manufacturing Co., Inc., owner, filed March 7, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Geiger Prefabricated Steel and Reinforced Concrete Construction; and

WHEREAS, the applicant was requested to call at this office, relative to the approval of this material, but failed to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

585-38-SM.

APPLICANT—Marks Brothers, Inc., owner.

SUBJECT—Marks Brothers Glass Bricks—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

THE RESOLUTION—

(585-38-SM)

WHEREAS, Marks Bros., Inc., owner, filed July 8, 1938, an application with the Board of Standards and Appeals,

for approval of the material known as Marks Bros. Glass Bricks; and

WHEREAS, the applicant was requested to call at this office, relative to the approval of this material, but failed to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

808-38-SM.

APPLICANT—G. Brugnago, United States Agent for S. A. F. F. A., Milano, Italy, owner.

SUBJECT—Afoterm Tile for Floor and Wall Covering, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

THE RESOLUTION—

(808-38-SM)

WHEREAS, G. Brugnago, agent, for S.A.F.F.A., Milano, Italy, owner, filed September 22, 1938, an application with the Board of Standards and Appeals, for approval of the material known as Afoterm Tiles for Flooring and Wall Covering; and

WHEREAS, the applicant was requested to call at this office, relative to the approval of this material, but failed to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

905-38-SM.

APPLICANT—B. Fisch, for Hungarian General Colliery Co., Ltd., owner.

SUBJECT—"Citadur" Brand, Aluminate Cement—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

THE RESOLUTION—

(905-38-SM)

WHEREAS, B. Fisch, agent, for Hungarian General Colliery Company, Ltd., owner, filed October 19, 1938, an application with the Board of Standards and Appeals, for the approval of the material known as Citadur Aluminate Cement; and

WHEREAS, the applicant was requested to call at this office, relative to the approval of this material, but failed to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

906-38-SM.

APPLICANT—B. Fisch, for Spalato Portland Cement Company, owner.

SUBJECT—"Salonit" Brand, Asbestos Cement Corrugated Flat Sheets and Shingles—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

MINUTES

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(906-38-SM)

WHEREAS, B. Fisch, agent, for the Spalato Portland Cement Co., owner, filed October 19, 1938, an application with the Board of Standards and Appeals, for approval of the material known as Salonit Brand, Asbestos Cement Corrugated Flat Sheets and Shingles; and

WHEREAS, the applicant was requested to call at this office, relative to the approval of this material, but failed to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

922-38-SM.

APPLICANT—Croft Steel Windows, Inc., owner.

SUBJECT—Croft Automatic Closing Lot Line Windows—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(922-38-SM)

WHEREAS, Croft Steel Windows, Inc., owner, filed October 25, 1938, an application with the Board of Standards and Appeals, for approval of the material known as Croft Automatic Closing Lot Line Windows; and

WHEREAS, the applicant was requested to call at this office, relative to the approval of this material, but failed to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

966-38-SM.

APPLICANT—Supreme Window Company, Incorporated, owner.

SUBJECT—Supreme Window—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(966-38-SM)

WHEREAS, Supreme Window Company, Inc., owner, filed November 1, 1938, an application with the Board of Standards and Appeals, for approval of the material known as Supreme Window; and

WHEREAS, the applicant was requested to call at this office, relative to the approval of this material, but failed to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

993-38-SM.

APPLICANT—Paul Horn, Horn Folding Partition Company, owner.

SUBJECT—Horn Accordion Folding Bleachers—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(993-38-SM)

WHEREAS, Horn Folding Partition Company, owner, filed November 7, 1938, an application with the Board of Standards and Appeals, for approval of the material known as Horn Accordion Folding Bleachers; and

WHEREAS, the applicant was requested to call at this office, relative to the approval of this material, but failed to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

1015-38-SM.

APPLICANT—The Greenheart Lumber Company, Incorporated, owner.

SUBJECT—"True Greenheart" Timber—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1015-38-SM)

WHEREAS, The Greenheart Lumber Company, Inc., owner, filed November 10, 1938, an application with the Board of Standards and Appeals, for approval of the material known as True Greenheart Timber (incombustible flooring); and

WHEREAS, the applicant was requested to call at this office, relative to the approval of this material, but failed to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

1076-38-SM.

APPLICANT—Walter H. Storm, owner.

SUBJECT—Storm Hot Sprayed Method of Waterproofing—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1076-38-SM)

WHEREAS, Walter H. Storm, owner, filed November 28, 1938, an application with the Board of Standards and Appeals, for approval of the material known as Storm Hot Sprayed Method of Waterproofing; and

WHEREAS, the applicant was requested to call at this office, relative to the approval of this material, but failed to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

MINUTES

1152-38-SM.

APPLICANT—Tilo Roofing Company, Inc., owner.

SUBJECT—Tilo Roofing—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1152-38-SM)

WHEREAS, Tilo Roofing Company, Inc., owner, filed December 12, 1938, an application with the Board of Standards and Appeals, for approval of the material known as the Tilo Roofing; and

WHEREAS, the applicant was requested to call at this office, relative to the approval of this material, but failed to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

878-39-SM.

APPLICANT—Century Fan and Ventilator Company, owner.

SUBJECT—Century Spring Register (with Fusible Link Attachment), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(878-39-SM)

WHEREAS, The Century Fan and Ventilator Company, owner, filed June 30, 1939, an application with the Board of Standards and Appeals for approval of the material known as Century Spring Register with fusible link attachment; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 878-39-SM.

Subject: Century Spring Register with

Fusible Link Attachment.

October 23, 1939.

The Century Fan and Ventilator Company, owner, filed June 30, 1939, an application with the Board of Standards and Appeals for approval of the Century Spring Register with fusible link attachment, under the provisions of Sec. C26-191.0 (2.2.3) Administrative Building Code and Sections 200 and 250, Multiple Dwelling Law.

The Century Spring Register with fusible link is a metal box fastened to wall with screws or bolts and contains a series of multiple louvers which operate by hand lever projecting through face of steel grille. On the inner lower frame is attached a high tension spring steel band, .70 to .80 carbon with a Rockwell hardness of C50 to C54, held in place by a low melting point solder plug (fusing at 160° F.). When the plug fuses the spring is released, striking lever arm and closing louvers.

A test was conducted at the office of the Board of Standards and Appeals on these registers and they were found to operate satisfactorily.

It is recommended that the register of specifications and construction as described herein, be approved for use in New York City wherever permitted or required by law, on condition that the register bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 878-39-SM."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Century Spring Register with fusible link attachment, on condition that the material be manufactured, installed, operated and labelled in accordance with above report.

1050-39-SM.

APPLICANT—G.A.L. Electro Mechanical Service of New York City, owner.

SUBJECT—G.A.L. Type "G" Elevator Door and Gate Contact or Gate Switch, approval of.

APPEARANCES—

For Applicant: Herbert Glaser.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1050-39-SM)

WHEREAS, the G. A. L. Electro Mechanical Service of New York City, owner, filed August 17, 1939, an application with the Board of Standards and Appeals for approval of the material known as the G.A.L. Type "G" Elevator Door and Gate Contact or Gate Switch; and

WHEREAS, this material, was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 1050-39-SM.

Subject: G.A.L. Type-"G" Elevator Door and

Gate Contact, or Gate Switch.

October 17th, 1939.

The G.A.L. Electro Mechanical Service of New York City filed on August 17, 1939, an application with the Board of Standards and Appeals for the approval of their elevator door and gate contact, or gate switch, for either right-hand or left-hand installations, under the provisions of Sub-Group No. 3, C26-914.0 (13.2.3.3.1) through C26-920.0 (13.2.3.3.7) and C26-982.0 (13.3.3.3.10) through C26-985.0 (13.3.3.3.13) and C26-191.0 (2.2.3) of the Administrative Building Code, for use with the Hoistway Unit System, wherein the contact or switch prevents the moving of the car away from the landing, unless all hoistway doors and the elevator door are closed.

The G.A.L. Type-G elevator door and gate contact, or gate switch, is designed for use with elevator car doors and gates, and prevents normal operation of the car unless the car door or gate is closed, and for use on automatically and manually operated horizontal sliding car doors and gates.

This contact or switch comprises a set of stationary contacts, a bridge plate mounted on an operating cam and a roller arm which actuates the cam to open and close the contacts. The switch is mounted on the

MINUTES

upper side of the car door frame, the roller arm being rigidly secured vertically to the upper end of the door or gate. The contact switch and the car controls are inter-connected electrically so that the controller circuit is open, unless the car door or gate is closed. The contact operating the cam is balanced in such a way so as to open the contacts by gravity when released. The end of this cam is inclined so that if binding occurs, the roller engages at this inclined surface and moves the contacts to the open circuit position by constraint. The details of this contact or switch are shown on Figure No. 1.

This G.A.L. Type-G contact or switch was tested by The Underwriters' Laboratories, Inc., Chicago, Ill., Report No. SA-595, with details of test as follows:

ENDURANCE TEST

The device was mounted on the elevator interlock testing machine with the contact switch connected to a resistance loaded circuit carrying 2-amps. at 220-volts D. C., with mechanical arrangement for opening the contact switch circuit before the contact switch was open and for closing the contact switch circuit before the contact switch was closed. The operation continued for 100,000 cycles so as to observe functioning, wear, reliability and strength. At the end of this test the device satisfactorily withstood the test without maintenance or evidence of unusual wear or failure.

CURRENT INTERRUPTING TEST

The same sample used in the preceding test, except the auxiliary switch was re-timed so that the contact switch was caused to make and break the circuit for a period of 1,000 cycles under a load of 2-amps., 220-volts D.C. The results of this test showed some arcing, resulting in a slight burn of the bridge plate and a slight burning and wear of the contact fingers, but not of sufficient magnitude so as to interfere with the proper functioning of the contacts.

TEST IN MOIST ATMOSPHERE

A new sample of the same contact or switch was used in this test which consisted of mounting the device on the interlock testing machine and subjecting it to a wearing-in run of 10,000 cycles of operation, after which it was subjected to an atmosphere saturated with 3.5% saline solution for seventy-two consecutive hours, followed by twenty-four hours of drying. It was then mounted again on the elevator interlock testing machine and subjected to 15,000 cycles of operation with a load of 2-amps., 220-volts, D.C. The results of this test showed proper functioning throughout, without any evidence of failure of any part due to corrosion.

TEST WITHOUT LUBRICATION

A similar new device was dismantled and cleansed of all lubricants by washing in gasoline, after which it was re-assembled and operated 25,000 times without lubrication. The results of this test indicated that the device operated without any indication of failure.

MISALIGNMENT TEST

During the various tests, observations were made to determine the effects of misalignment. Since the contact is operated through a roller arm, the car displacement perpendicular to the edge of the landing was simulated by adjusting the roller backward and then forward $\frac{1}{2}$ in., the switch functioning properly during this test.

In this case it was noteworthy that the contact is designed so that the roller can travel along the cam at least $2\frac{1}{2}$ in. after the contacts are closed. Sufficient surface to take care of displacement is provided, so as to meet requirements necessary to simulate door adjustment at the top and bottom in a direction perpendicular to the edge of the landing, the cam being $\frac{1}{8}$ in. wide and the roller having a contact width of $\frac{1}{2}$ in.

INSULATION TEST

A new sample of the device was subjected to 1,500-volts A.C. for one minute between current-carrying parts and enclosure. The results of this test indicated that the test voltage was held for the required period without a break-down of the insulation.

THERMAL EXPANSION

The applicant has furnished data indicating that there is sufficient clearance between all parts so as to insure satisfactory operation within a temperature range of 25 degrees to 140 degrees F.

RECOMMENDATION

On the basis of these tests, the Committee recommends the approval of G.A.L. Type-"G" Elevator Door and Gate Contact, or Switch, for use in the hoistway unit system under the provisions of Sub-Group No. 3, C26-914.0 (13.2.3.3.1) through C26-920.0 (13.2.3.3.7) and C26-982.0 (13.3.3.3.10) through C26-985.0 (13.3.3.3.13) and C26-191.0 (2.2.3) of the Administrative Building Code, wherein the contact or switch prevents the moving of the car away from the landing, unless all hoistway doors and the elevator door are closed, when manufactured of material and details as set forth herein; provided that in addition to the marking as set forth in C26-913.0 (13.2.3.2.7), the following label or stamp shall be added:

"APPROVED FOR USE IN NEW YORK
CITY BY THE BOARD OF STANDARDS
AND APPEALS UNDER CAL. NO. 1050-
39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the G.A.L. Type G Elevator Door and Gate Contact or Gate Switch, on condition that the material be manufactured, installed, operated and labelled, stamped or tagged in accordance with above report.

1343-39-SM.

APPLICANT — Certain-Teed Products Corporation,
owner.

SUBJECT—Kalite Acoustical Plaster—approval of.
APPEARANCES—

For Applicant: Arthur Gray.

ACTION OF BOARD—Material approved in accordance
with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh

Negative

THE RESOLUTION—

(1343-39-SM)

WHEREAS, the Certain-Teed Products Corporation, owner, filed November 1, 1939, an application with the Board of Standards and Appeals for approval of the material known as Kalite Acoustical Plaster; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

November 10, 1939.

Re: Cal. 1343-39-SM.

Subject: Kalite Acoustical Plaster—approval of.

The Certain-Teed Products Corporation of New York, owner, filed an application with the Board of Standards and Appeals for the approval of their

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acoustical plaster known as Kalite, applied in thicknesses of $\frac{1}{2}$ in. and $\frac{3}{4}$ in., under the provisions of C26-191.0 (2.2.3) and C26-88 (1.80) of the Administrative Building Code.

Kalite Acoustical Plaster is manufactured by the applicant at their plant located in Akron, New York, and consists of a screened and graded pumice aggregate plus a binder of their plastisized gypsum plaster complying with Federal Specification SS-G-901 Cal-cined Gypsum. Composed of these mineral materials it is conceded that Kalite is an incombustible material.

When used, it is mixed in a clean mortar box or machine mixer. Water is added to the Kalite and upon mechanical action, the ingredients of Kalite cause the mixture to become foamy. The air voids created by this foam remain after the plaster has set, thus providing a highly porous coating. When applied, it is put directly over the dry brown coat in the required thickness. In applying Kalite, it is scratched into the brown coat up to within $\frac{1}{8}$ in. of the required thickness. It is then rodded or darbied, after which it is permitted to stand for a period of about one hour to permit evaporation of excess water and then the final finish coat is applied. Three or four hours later, the Kalite is finished with a steel trowel. Care should be exercised where large unbroken areas exist, so as to insure completion of such areas without interruption so as to preclude joining marks.

Kalite was tested at the Bureau of Standards, File VI-2/TN, in thicknesses of $\frac{1}{2}$ in. and $\frac{3}{4}$ in. in areas of 72.2 square feet. It was applied over a base consisting of metal lath and gypsum plaster. Sound absorption tests were made on these samples with the results of such tests indicating that Kalite Acoustical Plaster conforms to Federal Specification SSP-391 Acoustical Plaster. For auditorium treatment, part B-1, it is in Class J in the $\frac{1}{2}$ in. thickness with a

coefficient of .46 at 512 cycles per second and in Class G in the $\frac{3}{4}$ in. thickness with a coefficient of .63 at 512 cycles per second. For noise reduction it is in Class T for both thicknesses with noise reduction coefficients of .55 and .60 respectively for the $\frac{1}{2}$ in. and $\frac{3}{4}$ in. thicknesses.

On the basis of this data, the committee recommends the approval of Kalite Acoustical Plaster as an incombustible material as made by the Certain-Teed Products Corporation, under C 26-191.0 (2.2.3) and C 26-88.0 (1.80) of the Administrative Building Code when applied in thicknesses of $\frac{1}{2}$ in. and $\frac{3}{4}$ in. when made and applied as provided herein.

It is further recommended that each bag of the material be stamped, marked or labelled "Approved by the Board of Standards and Appeals for use in New York City under Cal. 1343-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Kalite Acoustical Plaster, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

Adjourned, 5:35 P.M.

JOSEPH J. DOYLE, Chief Clerk.

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Name	Calendar No.
Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Crocker National Fire Prev. Eng. Co.....	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.....	890-28-SA
John Simmons Co.....	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Name	Calendar No.
New York Brass Foundry Co. (Stillbech)...	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company.....	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.....	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.....	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939.

(1139-39-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Building Code (2.2.1.1) and C26-610.0 Administrative Building Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Building Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Building Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as “ $\frac{3}{4}$ -Hour”, “1-Hour”, “1½-Hour”, or “3-Hour”, in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of “ $\frac{3}{4}$ -Hour”, “1-Hour”, “1½-Hour” or “3-Hour” rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough

Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9 (7.2.3.1 to 7.2.3.9 inclusive).

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labels.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

Fire Drill Rules, Adopted By the Board of Standards and Appeals, October 5, 1923.

(593-23-SR)

DEFINITION OF "FIRE DRILL."

The method and practice of the systematic and orderly vacating of a building by its occupants in case of emergency, panic or fire in the least possible time—by the nearest safe means of exit—and the use of fire appliances which shall be provided for the extinguishing or retarding of fire and the safeguarding of human life.

Rule 1

In all buildings as defined in Article 1, Section 10 of the Labor Law in which fire drills are required pursuant to Section 279 thereof and in any other building in which such drills are required by the Fire Commissioner pursuant to the power conferred in section 491 of the New York City Charter, it shall be the duty of the owners, lessees or tenants to conduct fire drills monthly and at such other times as the Fire Commissioner may direct.

For the purpose of conducting such fire drills the owner or tenant shall appoint from among their employees such responsible and dependable persons, male or female, who shall efficiently perform the duties of the various positions of the fire drill organization, as specified on the accompanying chart.

It shall be the duty of the owner or tenant to enter in the blank spaces provided for that purpose in said chart the names of persons so selected and post said chart and copies of the rules in a conspicuous place.

FIRE DRILL ORGANIZATION.

Premises
Name of concern.....
Building No.....Story.....

FOREMAN OR PERSON IN CHARGE

Regular	Substitute
.....	

WATCHMAN

.....	
.....	

MALE SEARCHER

.....	
-------	-------

FEMALE SEARCHER

.....	
-------	-------

STREET ALARM BOX RUNNER

.....	
-------	-------

FIRE BRIGADE

.....	
.....	
.....	

EXIT GUARDS

.....	Exit.....	.....
.....	"	
.....	"	
.....	"	
.....	"	
.....	"	

SQUAD MONITORS

.....	Squad No. 1.....
.....	" " 2.....
.....	" " 3.....
.....	" " 4.....
.....	" " 5.....
.....	" " 6.....

Rule 2. Duties of Foreman.

The Foreman or Person in Charge shall direct, enforce and have full charge of the "Fire Drill" in every factory on each floor. Each day before work is begun he shall see that extinguishers, fire hose, fire buckets, etc., are in readiness for use, exit doors are unlocked, aisles are free from obstruction, that stairways, halls, etc., are properly lighted, and shall remedy any dangerous condition found to exist. Immediately after work is commenced he shall check up the Fire Drill Organization list and note if the regularly assigned persons are present; if any are found to be absent, he shall assign other employees (if practicable) to perform their duties.

He shall immediately notify new employees of the existence of the Fire Drill Organization and give them the necessary instructions as to the duties they are to perform, etc.

He shall be familiar with the operation and location of the interior alarm signal box on his floor.

He shall listen for the test signal each morning at the appointed hour and in the event of the test signal not being heard he shall communicate with the superintendent or other person in charge of the building and advise him of the fact. The (Floor Captains) Foreman's orders are final as to the carrying out of the fire drill on his particular floor.

Rule 3. Duties of Watchmen.

The WATCHMEN shall see that all doors and windows are closed so as to prevent the spread of fire. The WATCHMEN shall be the only persons permitted to remain on the floor during the progress of a fire drill and do so at their own risk. For ordinary purposes only one watchman and a substitute shall be designated. In special cases, however, extra watchmen may be assigned by consent in writing from Fire Commissioner.

Rule 4. Duties of Searchers.

The MALE AND FEMALE SEARCHERS shall search all toilets, dressing rooms and emergency rooms used and frequented by their sex and all other portions of the floor and order all persons, except those authorized to remain, to leave the premises. They are to take care of and assist all persons who may faint or be disabled.

SEARCHERS shall leave the floor immediately after the last squad leaves.

Rule 5. Duties of Street Alarm Box Runner.

The STREET ALARM BOX RUNNER shall be familiar with the location of the nearest city fire alarm box and know how it is operated.

In ordinary practice fire drills the STREET-ALARM-BOX-RUNNER shall report to the Foreman for orders, and if his services are not required he shall promptly file out of the premises with the other occupants.

Only when a fire actually occurs on his floor, or when ordered to do so by the Foreman, shall the STREET-ALARM-BOX-RUNNER proceed to the street alarm box and send in the fire alarm.

RULES

Rule 6. Duties of Fire Brigade.

The fire brigade shall have full charge of the operation of all auxiliary fire fighting apparatus and shall endeavor to extinguish, or at least hold in check until the arrival of the fire department, any fire that may occur. When it is necessary for the fire brigade to respond to different floors in the building they shall not use the stairways or fire escapes while the occupants are escaping from the premises.

Rule 7. Duties of Exit Guards.

The EXIT GUARDS shall station themselves at all exit doors leading to fire escapes, stairways and other means of escape immediately upon the sounding of the alarm. There shall be two guards for each exit, if practicable; one to stand in the hallway holding back the door and the other directly inside on the floor. They are to keep the exit doors open and direct the movements of the persons using these exits and prevent congestion.

EXIT GUARDS shall remain at their stations until all of the occupants of the building have passed their station. Then close their doors and pass out of the building. Upon signal for the occupants to return, EXIT GUARDS shall take their designated stations and remain there until all persons have returned to their respective floors.

Rule 8. Duties of Squad Monitors.

The SQUAD MONITORS, as soon as the alarm is sounded, shall see that the employees under their charge quickly form into line, two abreast, and numbering not more than thirty to each squad. They shall see that all aisles and passageways are cleared of obstructions.

Note: Chairs, stools, baskets, etc., should be pushed under or placed on top of work benches.

MONITORS shall proceed at the head of their respective squads to the exit assigned, and then march up or down the stairs or to other exits as directed by the EXIT GUARDS.

On reaching the sidewalk MONITORS shall keep their squads in order and lead them a reasonable distance from the building, so as not to cause congestion and interference with fire apparatus. When the proper signal is given they shall return to their respective floors at head of their squads.

MONITORS will at all times see that those under their charge conduct themselves in a respectable and orderly manner.

Rule 9. Holding of Drills.

FIRE DRILLS shall be held at least once each month at varied hours of the day, and all of the occupants shall participate therein simultaneously. Such drills shall conduct all occupants to a place of safety.

Where dual operation interior fire alarm systems are installed as permitted under Rule 11 of the interior fire alarm

rules of the Board of Standards and Appeals, the fire drill conducted each month shall include all of the persons on the premises engaged at work for a factory, and drills shall be conducted at least twice each year in which all of the persons on the premises shall participate simultaneously.

Rule 10. Duties of Owner.

It shall be the duty of the OWNER, LESSEE OR TENANT OF THE BUILDING or his authorized agent or their representatives to personally observe that the "Fire Drill" is held simultaneously on every floor of the building and the participation therein of every occupant of such building. Any FIRE DRILL in which all of the occupants do not participate shall not be considered as complying with the LAW, except as otherwise provided in these rules.

The person or persons representing the OWNER, LESSEE OR TENANT who supervises the FIRE DRILL at the building shall submit to an examination by the Bureau of Fire Prevention as to their experience and general fitness for such duties, and shall be so certified in writing by the FIRE COMMISSIONER.

Rule 11. Duties of Engineer.

It shall be the duty of the ENGINEER, SUPERINTENDENT or other PERSON IN CHARGE of a building having an interior fire alarm system to test such system daily immediately after the beginning of business, and to see that all apparatus operated by springs requiring winding are rewound after each alarm and kept in normal condition for operation.

Whenever it is necessary to test the fire alarm system at any other time of the day, owing to repairs, etc., being made, the PERSON IN CHARGE OF BUILDING will first notify all Foremen of the several floors of the intended test and likewise notify them when the repairs, etc., are completed. This precaution is taken to prevent confusion and excitement, also misunderstanding of the alarm signals.

It shall also be the duty of the PERSON IN CHARGE OF BUILDING to sound the interior alarm system at irregular intervals, but not less than once each calendar month, for the purpose of holding practice fire drills. He shall keep on the premises a record of such drills showing the date when held and the required time for all occupants to reach the street or a point of safety outside the building.

The PERSON IN CHARGE OF BUILDING must immediately acquaint new tenants of the existence of the "Fire Drill" Organization and its purport.

Rule 12. Registration.

The name and address of every person, corporation or co-partnership, that will, under professional service, carry on the trade, business or calling of establishing, maintaining or supervising the "Fire Drill" shall be registered in the Fire Department, which Department shall, upon evidence of fitness, grant a certificate to that effect.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 48

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to November 21, 1939

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
1398-39-A.....	F.D.....	300-304 West 22nd street, and 231-235 Eighth avenue, southwest corner (Block No. 745, Lot No. 40), Borough of Manhattan, 4922-L.F. and Decision.
1399-39-S.....	H.B.Q.....	31-07 Borden avenue, east side of 31st (Mount) street, 337 ft. north of Borden avenue (Block No. 289, Lot Nos. 1 and 16), Long Island City, Borough of Queens, Alt. 2589-39.
1400-39-A.....	F.D.....	68-88 Nostrand avenue and 563-569 Park avenue, northwest corner (1st floor north); (Block No. 1718, Lot No. 1), Borough of Brooklyn, Decision re 79199-L.C.
1401-39-A.....	F.D.....	180 South street, west side, 140 ft. south of Roosevelt street (Block No. 110, Lot No. 14), Borough of Manhattan, 18864-L.C. and Decision.
1402-39-A.....	H.B.M.....	70G-72G Gouverneur street, entire block bounded by Gouverneur, Madison, Jackson and Water streets (Buildings No. 1 to 18); (Block No. 260, Lot No. 1), Borough of Manhattan, N.B. 128-39.
1403-39-A.....	H.B.M.....	345M-367M Madison street, north side, 95.79 ft. east of Scammel street through to Henry street (Buildings No. 19 and 20); (Block No. 267, Lot No. 24), Borough of Manhattan, N.B. 129-39.
1404-39-A.....	H.B.M.....	14J-22J Jackson street, northeast corner of Monroe street and south side of Madison street (Buildings No. 22 and 24); (Block No. 265, Lot Nos. 1 and 2), Borough of Manhattan, N.B. 130-39 and N.B. 130A-39.
1405-39-A.....	H.B.M.....	28J-44J Jackson street, northeast corner of Cherry street and south side of Monroe street (Buildings No. 21 and 23); (Block No. 263, Lot Nos. 40 and 45), Borough of Manhattan, N.B. 131-39 and N.B. 131A-39.
1406-39-A.....	H.B.B.....	175-177 North Seventh street, north side, 175 ft. east of Bedford avenue and 182 North Eighth street (Block No. 2320, Lot Nos. 30 and 31), Borough of Brooklyn, Applic. 2026-39.
1407-39-SM.....		United Floor Construction (Hollow Tile Ribbed Floor Con-

struction), manufactured by United Floors, Inc., Material.

1408-39-BZ.....	H.B.B.....	884-888 New Lots avenue and 411-421 Berriman street, southeast corner (Block No. 4454, Lot No. 1), Borough of Brooklyn, Alt. 4507-39.
1409-39-A.....	H.B.B.....	2142-2152 Nostrand avenue, southwest corner of Flatbush avenue (Block No. 7557, Lot No. 130), Borough of Brooklyn, Alt. 4895-39.
1410-39-A.....	F.D.....	70-84 Richards street, 58-68 Verona street, northwest corner and 49-67 Delevan street (Block No. 522, Lot No. 11), Borough of Brooklyn, 3145-L.F. and Decision
1411-39-BZ...	H.B.Bx.....	172 East 205th street, south side, 267.21 ft. west of Libson place (Block No. 3311, Lot No. 110), Borough of The Bronx, Alt. 682-39.
1412-39-SA.....		Metro Acetylene Cutting Torch and Welder, Model E, Appliance.
1413-39-A.....	H.B.Bx.....	880 Zerega avenue, east side, 236.15 ft. south of Quimby avenue (Block No. 3702, Lot No. 101), Borough of The Bronx, N.B. 1020-39.
1414-39-A.....	F.D.....	331-353 McKibben street, northwest corner of Bogart street (2nd floor); (Block No. 3083, Lot No. 30), Borough of Brooklyn, Decision re 80162-L.C.
1415-39-A.....	H.B.Bx.....	Southwest corner of Blackstone avenue and West 246th street (Block No. 3418, Lot No. 805), Borough of The Bronx, N.B. 283-39.
1416-39-BZ...	H.B.Bx.....	West side of Blackstone avenue, 301 ft. south of West 246th street (Block No. 3418, Lot No. 796), Borough of The Bronx, N.B. 284-39.
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1418-39-BZ...	H.B.Bx.....	Southeast corner of Independence avenue and West 246th street (Block No. 3418, Lot Nos. 805 and 825), Borough of The Bronx, N.B. 288-39.
1419-39-BZ...	H.B.Bx.....	Southwest corner of Independence avenue and West 246th street (Block No. 3418, Lot Nos. 653 and 660), Borough of The Bronx, N.B. 287-39.

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1420-39-BZ....H.B.Bx.....West side of Independence avenue, 279.59 ft. south of West 246th street (Block No. 3418, Lot Nos. 646 and 653), Borough of The Bronx,
N.B. 286-39.

1421-39-BZ....H.B.Q.....90-02 Northern boulevard, south side, between 90th street and 91st street (Block No. 1438, part of Lot No. 1), Jackson Heights, Borough of Queens,
Misc. Applic. 8288-39.

1422-39-BZ....H.B.Q.....133-40 Van Wyck boulevard, northwest corner of 135th avenue (Old South road); (Block No. 2841, part of Lot No. 1), Jamaica, Borough of Queens,
N.B. 5897-39.

1423-39-BZ....H.B.B.....2102-2124 Avenue "Z", northeast corner of East 21st street (Block No. 7441, Lot No. 371), Borough of Brooklyn,
N.B. 2389-39.

1424-39-A.....H.B.Q.....188-10 Union turnpike, south side, 75 ft. west of 189th street (Block No. 7266, Lot No. 1), Flushing, Borough of Queens,
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1425-39-SM.....S.O.S. Soot Destroyer (chemical compound used for the removal of soot from oil burning boilers), manufactured by S.O.S. Products Company,
Material.

1426-39-BZ....H.B.Bx.....Northeast corner of Morris Park avenue and East 177th street (Block No. 3907, Lot No. 43), Borough of The Bronx,
N.B. 471-39.

1427-39-A.....H.B.M.....168-170 East 116th street, south side, 181 ft. 8 in. east of Lexington avenue (Block No. 1643, part of Lot No. 44), Borough of Manhattan,
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1428-39-SM.....Cornell Rolling Steel Door, manufactured by Cornell Iron Works,
Material.

1429-39-SM.....Nailcrete Cinder Blocks, manufactured by Rockland Concrete Sales Co., Inc.
Material.

1430-39-A.....H.B.B.....130 Amity street, south side, 217 ft. east of Henry street (Block No. 296, Lot No. 15), Borough of Brooklyn,
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1431-39-SA.....Dugas Shaker Unit Fire Extinguisher,
Appliance.

1432-39-A.....F.D.....429-433 East 164th street, north side, 120 ft. east of Brook avenue (Block No. 2386, Lot No.

5), Borough of The Bronx,
19304-L.C.

1433-39-A.....H.B.Q.....32-42 and 32-52 33rd street, west side, from 400 ft. to 600 ft. south of Broadway (Block No. 612, Lot Nos. 53 and 57), Long Island City, Borough of Queens,
Viol. 2947-39 and Decision.

1434-39-A.....F.D.....103-17 to 103-19 Northern boulevard, north side, 40 ft. 2 in. west of 104th street (Block No. 1698, Lot No. 39), Corona, Borough of Queens, 3349-L.F.

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207-31-BZ....H.B.Bx.....1148 Southern boulevard, east side, 237 ft. north of East 167th street (Block No. 2745, Lot No. 11), Borough of The Bronx,
Decision re N.B. 1178-27.

DESIGNATIONS: **H.B.**—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

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NOVEMBER 28, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 28, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 742-38-BZ—Application, August 25, 1938, under section 21 of the building zone resolution of George Goodstein, applicant on behalf of Leon W. McKeon, owner, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment, dwelling and two (2) car garage; premises 3129 Perry avenue, west side, 110 ft. north of 204th street (Block No. 3341, Lot Nos. 26 and 27), Borough of The Bronx.

CAL. NO. 763-39-BZ—Application, June 9, 1939, under section 7a of the building zone resolution, of Frank E. Wall, applicant on behalf of J. W. Schneider, owner, to permit in a business use district, the extension of an existing gasoline service station and also the erection of a new accessory building; premises 22-24 Jewett avenue, west side, 92.57 ft. south of Bennett street (Block No. 1012, Lot No. 84), Port Richmond, Borough of Richmond.

CAL. NO. 856-39-BZ—Application, June 26, 1939, under sections 7a and 21 of the building zone resolution, of Frank E. Wall, applicant, on behalf of Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station; premises 823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

CAL. NO. 904-39-BZ—Application, July 5, 1939, under section 21 of the building zone resolution, of Jack Z. Cohen, applicant, on behalf of Julia V. Delany, owner, to permit in a residence use district the extension of an existing garage for more than five (5) motor vehicles, said garage is located on the same street between two (2) intersecting streets as a school; premises 595-597 Quincy street, north side, 200 ft. east of Lewis avenue (Block No. 1625, Lot No. 73), Borough of Brooklyn.

CAL. NO. 1142-39-BZ—Application, September 19, 1939, under section 21 of the building zone resolution, of Joel D. Marder, applicant, on behalf of Manhattan Storage and Ware-

house, owner, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 140-146 West 53rd street, south side, 225 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 53-55), Borough of Manhattan.

CAL. NO. 1153-39-BZ—Application, September 20, 1939, under sections 7c and 21 of the building zone resolution, of Edgar J. Moeller, applicant, on behalf of Remsenburg Realty Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store); premises 1522-1526 Kings Highway, southwest corner of East 16th street (Block No. 6798, part of Lot No. 42), Borough of Brooklyn.

CAL. NO. 766-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Oliver Reagan, applicant, on behalf of Estate of Erskine Hewitt, owner (Norvin H. Green, executor), to permit in a residence use district, the alteration and change of occupancy of an existing building (private stable and dwelling) to office use and dwelling; premises 144 East 39th street, south side, 197 ft. east of Lexington avenue (Block No. 894, Lot No. 56), Borough of Manhattan.

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 479-39-BZ—Application, April 17, 1939, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Board of Transportation, City of New York, owner, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles; premises 209 East Houston street, southeast corner of Ludlow street and 167-179 Essex street, west side, 100 ft. south of East Houston street (Block No. 412, Lot No. 53), Borough of Manhattan.

CAL. NO. 667-39-BZ—Application, May 22, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Louis Kliegman, owner (Theodore Tannor, lessee), to permit in a business use district, the extension

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of an accessory building located on an existing gasoline service station; premises 928-932 Stone avenue, northwest corner of Linden boulevard (Block No. 3639, Lot No. 1), Borough of Brooklyn.

CAL. NO. 552-39-BZ—Application, May 3, 1939, under section 21 of the building zone resolution, of Bernhardt T. Berman, applicant, on behalf of Elias Goldberg, owner, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 1028-1030 Utica avenue, west side, 100 ft. south of Tilden avenue (Block No. 4734, Lot No. 11), Borough of Brooklyn.

CAL. NO. 1091-39-BZ—Application, September 5, 1939, under sections 7h and 21 of the building zone resolution, of Thomas W. Lamb, Inc., applicant, on behalf of Sixth Avenue and 44th Street Corporation, owner, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1120-1136 Sixth avenue, east side, entire block from West 43rd street to West 44th street (Block No. 1259, Lot No. 1), Borough of Manhattan.

CAL. NO. 1313-39-BZ—Application, October 25, 1939, under sections 7a and 21 of the building zone resolution, of Aymar Embury II, applicant, on behalf of Queens County Jockey Club, owner, to permit in a residence use district, the erection of two (2) buildings, the alteration and extension in area of two (2) buildings and the relocation of three (3) buildings existing on the premises. Each of the five (5) buildings involved, to be used as stables for more than five (5) horses as accessories to the Jockey Club (Race Track) on the premises; premises north side of North Conduit avenue between 135th and 150th avenues (Block No. 2317, Lot No. 1, Block No. 2318, Lot No. 2, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens.

Appeal from Administrative Decision

1314-39-A—North side of North Conduit avenue, between 135th avenue and 150th avenue (Block No. 2317, Lot No. 1, Block No. 2318, Lot No. 1, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens (Under Section 35, General City Law re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 28, 1939, 2 P. M.

Appeals from Administrative Decisions

1041-39-A—Southeast corner of Twiggs place and Fifth street (Block No. 5517, Lot No. 101), Park of Edgewater, Borough of The

Bronx (Under Section 35, General City Law re: Bed of Mapped Street).

1288-39-A—Pequot road and 88th street, 851.49 ft. west of west side of 88th street and 617.42 ft. south of Cooper avenue (Block No. 3810, Lot No. 275), Glendale, Borough of Queens (Under Section 36, General City Law).

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law).

1360-39-A—24-38 Columbia street, southwest corner of Pacific street (Pier No. 23); (Block No. 287, part of Lot No. 68), Borough of Brooklyn.

1323-39-A—257 13th street, north side, 97 ft. 10½ in. west of Fifth avenue (Block No. 1028, Lot No. 49), Borough of Brooklyn.

1361-39-A—1245 84th street, north side, 320 ft. west of 13th avenue (Block No. 6308, Lot No. 60), Borough of Brooklyn.

1363-39-A—936 Lenox road, south side, 60 ft. east of East 56th street (Block No. 4662, Lot No. 4), Borough of Brooklyn.

1364-39-A—938 Lenox road, south side, 80 ft. east of East 56th street (Block No. 4662, Lot No. 5), Borough of Brooklyn.

1409-39-A—2142-2152 Nostrand avenue, southwest corner of Flatbush avenue (Block No. 7557, Lot No. 130), Borough of Brooklyn.

1413-39-A—880 Zerega avenue, east side, 236.15 ft. south of Quimby avenue (Block No. 3702, Lot No. 101), Borough of The Bronx.

1368-39-A-WF—112-36 to 112-44 Roosevelt avenue, south side, 100 ft. west of 114th street (Block No. 2013, Lot Nos. 32 to 35, inclusive), Corona, Borough of Queens.

1037-39-A—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

1254-39-A—67-46 to 67-52 Myrtle avenue and 302-306 68th street, southwest corner (Block No. 3702, Lot No. 25), Glendale, Borough of Queens.

1253-39-A—159-01 Hillside avenue, northeast corner of Parsons boulevard (Block No. 342, Lot No. 1), Jamaica, Borough of Queens.

1290-39-A—883 Eastern parkway, north side, 87 ft. east of Albany avenue (Block No. 1388, Lot No. 74), Borough of Brooklyn.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1005-39-A—22-71 33rd street, east side, 76 ft. 2¾ in. north of 23rd avenue and 33-09 23rd avenue (Block No. 832, Lot No. 2), Astoria, Borough of Queens.

Variation of the Labor Law

1438-39-S—18-20 East 50th street, south side, 70 ft. west of Madison avenue (Block No. 1285, Lot No. 59), Borough of Manhattan.

DECEMBER 5, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

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of the building zone resolution, *Tuesday morning, December 5, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 310-39-BZ—Application, March 13, 1939, under sections 7h and 21 of the building zone resolution, of Alexander Ketterson, applicant, on behalf of Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

CAL. NO. 657-39-BZ—Application, May 19, 1939, under sections 7c and 21 of the building zone resolution, of Frank Verdi, applicant, on behalf of Henry A. Thelluson, Receiver (George and F. J. Verdi, lessees), to permit in a residence use district and, also, on a street between two (2) intersecting streets in which portion there exists an exit and an entrance to a public school, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles; premises 353-355 West 48th street, north side, 204 ft. east of Ninth avenue (Block No. 1039, Lot No. 9), Borough of Manhattan.

CAL. NO. 1054-39-BZ—Application, August 18, 1939, under section 7a of the building zone resolution, of Richard Shutkind, applicant, on behalf of 318 West 47th Street Corporation, owner, to permit in a residence use district, the extension of an existing business use; premises 318 West 47th street, south side, 275 ft. west of Eighth avenue (Block No. 1037, Lot No. 44), Borough of Manhattan.

CAL. NO. 868-39-BZ—Application, June 27, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Irving Palmer, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 3826-3830 Kings Highway and 1241-1245 Ryder street, southeast corner (Block No. 7817, Lot No. 34), Borough of Brooklyn.

CAL. NO. 326-36-BZ—Application of Interborough Engineering Company, applicant, on behalf of

Giuseppe Montemorano, owner, reopened June 27, 1939 under new facts, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied); premises 961-965 Fourth avenue and 402-412 37th street, southeast corner (Block No. 701, Lot No. 8), Borough of Brooklyn.

CAL. NO. 597-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Inc., owner, to permit in a business use district, the alteration and extension of an existing gasoline service station; premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block No. 9751, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 724-39-BZ—Application, May 31, 1939, under section 7c of the building zone resolution, of Joseph P. Powers, applicant, on behalf of Buona Terra Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores); premises 148-42 Hillside avenue, south side, 224.5 ft. west of 150th street (Block No. 9694, Lot No. 23), Jamaica, Borough of Queens.

CAL. NO. 929-39-BZ—Application, July 11, 1939, under sections 7a and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Oliver S. Chatfield, owner, to permit in a business use district, the alteration of an existing garage and gasoline service station and the increase in area of the gasoline station by the relocation of the front wall of the garage; premises 97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

CAL. NO. 295-39-BZ—Application, March 8, 1939, under sections 7b, 7c and 21 of the building zone resolution, of Louis Danancher, applicant, on behalf of Morris Manes, owner, to permit partly in a business use district and partly in a residence use district, the maintenance of an extension to a business building; premises 113-19 Jamaica avenue, north side, 25 ft. west of 114th street (Block No. 4227, Lot No. 77), Richmond Hill, Borough of Queens.

CAL. NO. 1025-39-BZ—Application, August 7, 1939, under section 21 of the building zone resolution, of Frank J. Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

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CAL. NO. 836-39-BZ—Application, June 21, 1939, under section 21 of the building zone resolution, of Isidore Wolsk, applicant, on behalf of Gotham Equities Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1793-1799 Eastern parkway, north side, 68.4 ft. west of Dean street and 2348-2354 Dean street (Block No. 1449, Lot Nos. 19 and 21), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 5, 1939, 2 P. M.

Appeals from Administrative Decisions

1306-39-A—623 Beach 19th street, west side, 347 ft. south of Cornaga avenue and 702 Beach 20th street (Block No. 84, Lot No. 1 and Block No. 85, Lot No. 34), Far Rockaway, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1355-39-A—485 Madison avenue and 28-36 East 52nd street, southeast corner (Block No. 1287, Lot No. 52), Borough of Manhattan.

1451-39-A—148-150 West 53rd street, south side, 191.75 ft. east of Seventh avenue (Block No. 1005, part of Lot No. 53), Borough of Manhattan.

1342-39-A—30-80 Steinway street, west side, 182.66 ft. north of Jamaica avenue (Block No. 660, Lot No. 82), Astoria, Borough of Queens.

1466-39-A—19-80 Steinway street, northwest corner of 20th avenue (Block No. 811, part of Lot No. 1), Long Island City, Borough of Queens.

DECEMBER 12, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 12, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue and 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 244-39-BZ—Application of John J. Beatty, applicant, on behalf of Harlem Savings Bank, owner, reopened under new facts October 24, 1939, under section 21 of

the building zone resolution, to permit in a restricted retail use district, the alteration and conversion of occupancy of part of an existing building to a motion picture theatre (previously denied); premises 163-165 West 57th street, north side, 104 ft. 2 in. east of Seventh avenue (Block No. 1010, Lot No. 5), Borough of Manhattan.

CAL. NO. 562-39-BZ—Application, May 3, 1939, under section 7h of the building zone resolution, of Tendwell Service Station Corporation, applicant and lessee, on behalf of New York State Realty and Terminal Co., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 5-15 West 125th street, north side, 110 ft. west of Fifth avenue and 6-14 West 126th street (Block No. 1723, Lot No. 31), Borough of Manhattan.

CAL. NO. 691-39-BZ—Application, May 23, 1939, under section 7a of the building zone resolution, of Thomas M. Bell, applicant, on behalf of Gainsborough Studios, Inc., owner, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the street; premises 222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

CAL. NO. 459-39-BZ—Application, April 12, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicant, on behalf of Leon K. Rockmore, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn.

CAL. NO. 951-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Emil Koeppel, applicant, on behalf of Madeline Hecht, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn.

CAL. NO. 1022-39-BZ—Application, August 4, 1939, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Matilda Tais-hoff, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 47-13 to 47-21 Kissena boulevard and 140-01 to 140-07 Mulberry court, northeast corner (Block No. 5216, Lot No. 41), Flushing, Borough of Queens.

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CAL. NO. 1203-39-BZ—Application, September 29, 1939, under section 7c of the building zone resolution, of Edwin W. Kleinert and A. Stanely Miller, applicants, on behalf of Security Construction Company, owner, to permit the erection of a business building (stores), extending from a business use district into a residence use district; premises 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-0, 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13). Maspeth, Borough of Queens.

CAL. NO. 212-34-BZ—Application of Michael Marlo, applicant, on behalf of Carmelo Oddo, owner (Michael Monterosa, lessee), reopened June 20, 1939, under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station; said gasoline station was previously granted by the Board for a temporary period; premises 1709 Neptune avenue and 2760-2770 Cropsey avenue, northwest corner (Block No. 6994, Lot Nos. 97 and 99), Borough of Brooklyn.

CAL. NO. 1093-39-BZ—Application, August 17, 1939, under section 21 of the building zone resolution, of Lockwood Greene Engineers, Inc., applicant, on behalf of News Syndicate, Inc., owner, to permit in an unrestricted use district and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building; said extension not conforming with the "B" area requirements of the building zone resolution; premises 684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28. inclusive), Borough of Brooklyn.

CAL. NO. 746-39-BZ—Application, June 7, 1939, under sections 7c, 7f and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Brooklyn Development Company, owner (George E. Weidner, lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a golf driving range and accessory club house; premises 2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

Appeal from Administrative Decision

894-39-A—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn (Under Section 35, General City Law, Re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 12, 1939, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

1325-39-A—2277-2281 Ocean parkway, east side, 120 ft. north of Avenue "W" (Block No. 7158, Lot No. 60), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 12, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 971-27-BZ—Application of Assets Funding Corporation, lessee, and George W. Perkins and Dorothy P. Freeman, owners, reopened November 14, 1939 re amendment of resolution as to additional use as an automobile repair shop—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 270 Dyckman street, south side, 488.11 ft. west of Broadway (Block No. 2246, Lot No. 43), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 19, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 19, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1113-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frieda D. Waters, applicant and owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 1913-1929 Bay avenue, north side, 106 ft. 3½ in. east of East 19th street (Block No. 6748, Lot No. 97 and part of Lot No. 92), Borough of Brooklyn.

CAL. NO. 1121-39-BZ—Application, September 8, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue (Block No.

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4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn.

CAL. NO. 1260-39-BZ—Application, October 13, 1939, under section 7c of the building zone resolution, of Thomas J. Curran, applicant, on behalf of South Brooklyn Savings Bank, owner, to permit the extension of a proposed bank building from a business use into a residence use district; premises 6422-6424 18th avenue and 1771-1775 65th street, northwest corner (Block No. 5546, Lot Nos. 50, 53, 57 and 58), Borough of Brooklyn.

CAL. NO. 186-37-BZ—Application of William Shary, applicant, on behalf of Aaron Rabinowitz, James L. Clare and Lawrence N. Martin, as trustees of Series F-1, owner (Reuben Nathan, lessee), reopened under new proposal June 27, 1939, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously denied re parking of more than five (5) motor vehicles); premises 709-719 Westchester avenue, 721-725 Forest avenue, northwest corner and 712-724 Jackson avenue (Block No. 2645, Lot No. 5), Borough of The Bronx.

CAL. NO. 1194-39-BZ—Application, September 28, 1939, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district, the erection and maintenance of a laundry which is accessory to a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx.

CAL. NO. 1189-39-BZ—Application, September 27, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William Jacobia and Albert Jacobia, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 136-05 32nd avenue and 31-51 Linden place, northeast corner (Block No. 4409, Lot No. 1), Flushing, Borough of Queens.

CAL. NO. 637-39-BZ—Application, May 17, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Shell Oil Co., Inc., owner, to permit in a business use district, the extension of an existing gasoline service station; premises 63-56 Austin street and 91-39 63rd drive, southwest corner (Block No. 3103 (1897), Lot No. 43), Rego Park, Borough of Queens.

CAL. NO. 767-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Judson E. Schnall, applicant, on be-

half of Estate of Benjamin Anchell and Philip Levison, owners (Thomas Kaltenbach, lessee), to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

CAL. NO. 181-39-BZ—Application, February 14, 1939, of Joshua Hochstein, applicant, on behalf of Frances Landa and Fannie Hochstein, owners, reopened and restored to calendar October 10, 1939, under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop, machine shop and garage for more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 45-37 to 45-55 50th (Fitting) street, east side, 400 ft. south of Queens boulevard (Block No. 2283, Lot No. 1), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, January 3, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 845-39-BZ—Application, June 23, 1939, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Harris Goody Realty Co., Inc., owner (Jack Nelson, lessee), to permit in a business use district, the erection of an accessory building on an existing gasoline service station; premises 253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

CAL. NO. 902-38-BZ—Application, October 18, 1938, under section 21 of the building zone resolution, of John R. Kilpatrick, applicant, on behalf of Madison Square Garden Corporation, owner, to permit in a residence use district and, also, within 200 feet of a hospital, the parking and storage of more than five (5) motor vehicles; premises 337-341 West 49th street, north side, 225 ft. east of Ninth avenue and 348-352 West 50th street (Block No. 1040, Lot Nos. 54, 55, 9, 10, 11 and part of Lot No. 14), Borough of Manhattan.

CAL. NO. 566-39-BZ—Application, May 3, 1939, under section 7h of the building zone resolution, of Nicholas F. Walsh, applicant, on behalf of Nicholas F. Walsh, Helen A. Walsh, Joseph A. Walsh, Mary A. Walsh and John A. Walsh, owners, to permit in a

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business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 140 Post avenue, west side, 100 ft. north of West 207th street (Block No. 2223, Lot No. 22), Borough of Manhattan.

CAL. NO. 1392-39-BZ—Application, November 9, 1939, under section 7h of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of 870 Eighth Avenue Corporation, owner, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

CAL. NO. 148-35-BZ—Application of William J. Minogue, applicant, on behalf of 170 Dyckman Street Corporation, owner, reopened June 7, 1939, under sections 7a and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the conversion of occupancy of the 2nd story of an existing building from office use, previously granted by the board, to bowling alleys; premises 168-170 Dyckman street, west side, 100 ft. north of Sherman avenue and 71 Thayer street (Block No. 2175, Lot No. 70), Borough of Manhattan.

CAL. NO. 422-39-BZ—Application, April 4, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Bonded Lien Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 305-313 21st street and 697-705 Sixth avenue, northwest corner (Block No. 892, Lot No. 1), Borough of Brooklyn.

CAL. NO. 534-39-BZ—Application, April 27, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Emil Lazansky, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest corner (Block No. 3237, Lot No. 33), Borough of Brooklyn.

CAL. NO. 390-39-BZ—Application, March 29, 1939, under sections 7h and 21 of the building zone resolution, of John B. Leonard, applicant and lessee, on behalf of Ruth Allison Lilly, owner, to permit in a business

use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1337 Leland avenue and 1850-1852 East 177th street, southwest corner (Block No. 3879, Lot Nos. 33, 34 and 37), Borough of The Bronx.

CAL. NO. 1017-39-BZ—Application, July 31, 1939, under section 7h of the building zone resolution, of Edward J. Carr, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 448-452 East 189th street, south side, 89.02 ft. east of Third avenue (Block No. 3042, Lot Nos. 27 and 29), Borough of The Bronx.

CAL. NO. 1115-39-BZ—Application, September 11, 1939, under sections 7a and 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of Herblou Corporation, owner (Wyatt Iron Works, Inc., lessee), to permit the extension of an iron works from an unrestricted use district into a business use district; premises 1211 Wyatt street, northwest corner of Van Nest avenue (Block No. 3908, Lot Nos. 53 and 66), Borough of The Bronx.

CAL. NO. 517-39-BZ—Application, April 25, 1939, under sections 7h of the building zone resolution, of Thomas I. Sheridan, applicant and owner, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive and 30), Astoria, Borough of Queens.

CAL. NO. 1206-39-BZ—Application, October 3, 1939, under section 7a of the building zone resolution, of James Lewis Munson, applicant, on behalf of Menley & James, Ltd., owner, to permit upon a plot located partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a business building (storage of paper cartons); premises 91-17 to 91-27 138th place, northeast corner of Archer avenue (Block No. 9981, Lot Nos. 26 and 20), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1940, 2 P. M.

Appeals from Administrative Decisions

1369-39-A—70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens

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(Under Section 35, General City Law, Re: Bed of Mapped Street).

1488-39-A—213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft. and 302.27 ft. east of Bell boulevard (Block No. 6116, part of Lot No. 20 and Block No. 6118, part of Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

JANUARY 9, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1006-39-BZ—Application, July 26, 1939, under section 21 of the building zone resolution, of George G. Miller, applicant, on behalf of Rolleen Realty Corporation, owner, to permit in a residence use district, the lowest level of a rear yard above the curb level; premises 61-70 Overlook terrace, southwest corner of West 187th street (Block No. 2180, Lot No. 46), Borough of Manhattan.

CAL. NO. 1116-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frederick E. Goldsmith, applicant, on behalf of Avenue "N" Operating Corporation, owner, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 1811-1819 McDonald avenue, east side, 60 ft. south of Avenue "P" (Block No. 6633, part of Lot No. 12), Borough of Brooklyn.

CAL. NO. 1132-39-BZ—Application, September 14, 1939, under sections 7c and 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of J. Clarence Davies, Inc. and Consolidated Edison Co. of New York, Inc., owners (F. W. Woolworth Co., lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an extension to an existing business building; premises 31-34 Westchester square, west side, 185.65 ft. south of Frisby avenue and 2580 Frisby avenue (Block No. 3984, Lot No. 30 and part of Lot No. 16), Borough of The Bronx.

CAL. NO. 670-39-BZ-WF—Application, May 22, 1939, under section 7h of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Traders Building Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-19 National avenue, 102-01 to 102-13 42nd avenue, 41-27 to 41-33 102nd street and 41-18 to 41-30 103rd street (Block No.

1976, Lot Nos. 7, 10 and 13 to 16, inclusive), Corona, Borough of Queens.

CAL. NO. 1152-39-BZ—Application, September 20, 1939, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corporation, owner, to permit in a residence use district, the erection and maintenance of two (2) multiple dwellings having garages for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 77-15 and 77-25 113th street, north side of 77th avenue, south side of 78th avenue, from 113th street to 113th place (Grand Central parkway extension); (Block No. 2269, Lot Nos. 2-24-32), Forest Hills, Borough of Queens.

CAL. NO. 455-39-BZ—Application, April 11, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Caroline B. Gale, owner (Jamaica Parking and Realty Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-11 166th street, east side, 45 ft. south of 89th avenue (Block No. 9798, Lot No. 22), Jamaica, Borough of Queens.

CAL. NO. 876-39-BZ—Application, June 29, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Anne Adelman and Henrietta Solomon, owners (Jamaica Parking and Realty Company, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-03 to 89-17 169th street and 169-02 to 169-10 89th avenue, southeast corner (Block No. 891, Lot Nos. 15 and 18), Jamaica, Borough of Queens.

CAL. NO. 94-38-BZ—Application of Arthur W. Renander, applicant, on behalf of Jeho Company, Inc., owner (Jamaica Parking Company, Inc., lessee), reopened and restored to calendar May 9, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1940, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

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of the building zone resolution, *Tuesday morning, January 30, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAI NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use

district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 21, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, October 17, 1939, the minutes of the regular meeting of the Board held on Tuesday afternoon, October 17, 1939, and the minutes of the special meeting of the Board held on Friday morning, October 20, 1939, were approved as printed in Bulletin No. 43, Vol. 24.

BUILDING ZONE CASES

212-34-BZ.

APPLICANT—Michael Marlo, for Carmelo Oddo, owner (Michael Monteroso, lessee).

SUBJECT—Application reopened June 20, 1939 (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station; said gas station was previously granted by the board for a temporary period.

PREMISES AFFECTED—1709 Neptune avenue and 2760-2770 Cropsey avenue, northwest corner (Block No. 6994, Lot Nos. 97 and 99), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Marlo.

For Opposition: None.

ACTION OF BOARD—Laid over to December 12, 1939, at 10 a.m. Applicant to file new decision.

836-39-BZ.

APPLICANT—Isidore Wolsk, for Gotham Equities Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED — 1793-1799 Eastern parkway, north side, 68.4 ft. west of Dean street and 2348-2354 Dean street (Block No. 1449, Lot Nos. 19 and 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Domenik Blasi.

For Opposition: Samuel Citrin.

ACTION OF BOARD—Laid over to December 5, 1939, at 10 a.m.

1025-39-BZ.

APPLICANT—Frank J. Buttermark, for Mill Road Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Angelo Constantino.

For Opposition: J. Harry Tiernan.

ACTION OF BOARD—Laid over to December 5, 1939, at 10 a.m., on request of attorney in opposition.

1091-39-BZ.

APPLICANT—Thomas W. Lamb, Inc., for Sixth Avenue and 44th Street Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1120-1136 Sixth avenue, east side, entire block from West 43rd street to West 44th street (Block No. 1259, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas W. Lamb, James P. Millard, Harry Williams, J. S. Dudley and Millard Henlein.

For Opposition: Julian Liberman, Rafael Blig, Elizabeth Wetzig and S. Barry Shenk.

ACTION OF BOARD—Laid over to November 28, 1939, at 10 a.m., for applicant to submit complete working drawings. No further argument.

1093-39-BZ.

APPLICANT — Lockwood Greene Engineers, Inc., for News Syndicate Co., Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution to permit in an unrestricted use district and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building; said extension not conforming with the "B" area requirements of the building zone resolution.

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PREMISES AFFECTED — 684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Russell V. Banta.

For Opposition: John Cooke, Carl G. Edlund, L. F. Ribori, O. P. Carroll, Catherine Baus, Elizabeth Egan, V. H. Jacobson and others.

ACTION OF BOARD—Laid over to December 12, 1939, at 10 a.m., for inspection by a committee of the board. No further argument.

413-39-BZ.

APPLICANT — Henry C. Brockman (Gulf Oil Corp., lessee) for New York Rapid Transit Corp. and Brooklyn Manhattan Transit Company, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a, 7c and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the extension of a gasoline service station.

PREMISES AFFECTED — 464-484 Flatbush avenue and 1-33 Ocean avenue, southwest corner (Block No. 5024, part of Lot Nos. 28 and 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Samuel J. Bisgyer.

ACTION OF BOARD—Application withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

76-37-BZ.

APPLICANT—Edwin H. Snackenberg, for Albert Edelman, lessee, for Monahan Realty Company, owner.

SUBJECT—Application reopened October 24, 1939—re extension of term of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—601-611 Livonia avenue, northeast corner of Sheffield avenue (Block No. 3805, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin H. Snackenberg.

For Opposition: None.

ACTION OF BOARD—Permit extended.

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(76-37-BZ)

WHEREAS, Albert Edelman (lessee), for Monahan Realty Company, owner, filed February 25, 1937, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; premises: 601-611 Livonia avenue, northeast corner of Sheffield avenue (Block No. 3805, Lot No. 1), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board July 9, 1937, for a temporary period of two years, under certain conditions and applicant requested an extension of the temporary period.

Resolved, that the resolution adopted by the Board on July 9, 1937, be and it hereby is *amended*, only so far as it has reference to the term of the permit, so that as amended, the resolution will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted under Section 7-H for a period of two (2) years from the date of the amended resolution*, to permit the plot under appeal to be used for parking of more than five motor vehicles, *on condition* that the entire plot shall be levelled substantially to the grade of Livonia avenue and shall be surfaced with steam cinders, properly bound to prevent dusting, or other suitable surfacing; that there shall be erected on interior lot lines, where unpunctured walls of adjacent buildings do not occur, a substantial woven wire fence not less than 6 ft. in height; that a similar fence shall be erected on street building line permitting one opening only for entrance and exit, namely to Livonia avenue; that this entrance shall not exceed 15 ft. in width with curb cut opposite, of same width as permitted under Permit No. A-26025, which was revoked by the board under Cal. No. 268-36-A; that during the term of this variance, the plot shall not be used for any other purpose than as permitted herein, and that no building shall be erected thereon, except there may be a small building not over 10 ft. square as an office and shelter for the attendant, not exceeding one story in height and located near the entrance; that aisles shall be maintained at all times for ready exit and entrance; that such portable fire-extinguishers shall be maintained as the commissioner shall direct; that signs shall be restricted to a neat sign near the entrance advertising the parking use; that the general illumination shall be by means of post standards equipped with metal reflectors, so arranged as to reflect downwardly, away from the adjoining premises to the north and east; and that all permits shall be obtained within one month from the date of this amended resolution."

1018-38-BZ.

APPLICANT—John F. Meehan, for The Rector, Church Wardens and Vestrymen of Trinity Church in the City of New York, owner (Caswell Motor Company, lessee).

SUBJECT—Application reopened October 24, 1939—re extension of time to complete work—re Application (decision of the borough superintendent of buildings) previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3740 Broadway, northeast corner of West 155th street (Block No. 2114, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: John F. Meehan.

For Opposition: None.

ACTION OF BOARD—Time extended.

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1018-38-BZ)

WHEREAS, this application affecting premises: 3740 Broadway, northeast corner of West 155th street, (Block No. 2114, Lot No. 1), Borough of Manhattan, was granted by the board April 4, 1939, on certain conditions and applicant requested an extension of time to obtain permit and complete the work.

MINUTES

Resolved, that the resolution adopted by the board on April 4, 1939, be and it hereby is *amended*, only so far as it has reference to obtaining permits and completing work, so that as amended this portion of the resolution will read:

"that all permits shall be obtained and all work completed within three (3) months from the date of this amended resolution."

1138-38-BZ.

APPLICANT—Henry Nordheim, for Elsie Maresca and Mary Maresca, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7e and 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of a building occupied as auto laundry, stores, battery service and storage for five (5) motor vehicles, to auto laundry, grease pits, motor vehicle repair shop and storage for more than five (5) motor vehicles.

PREMISES AFFECTED — 2637-2645 Webster avenue, west side, 130.60 ft. north of East 194th street (Block No. 3277, Lot No. 41), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, Vincent Maresca and James E. Nilon.

For Opposition: Samuel I. Stein, Max E. Lynne, H. N. Hasenbalg and Cecil M. Steinert.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(1138-38-BZ)

WHEREAS, Henry Nordheim, for Elsie Maresca and Mary Maresca, owners, filed December 8, 1938, an application under sections 7E and 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of a building occupied as auto laundry, stores, battery service and storage for five motor vehicles, to auto laundry, grease pits, motor vehicle repair shop and storage for more than five motor vehicles; premises: 2637-2645 Webster avenue, west side, 130.60 ft. north of East 194th street (Block No. 3277, Lot No. 41), Borough of the Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 21, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Webster avenue, Decatur avenue and East 194th street are in business use districts and East 195th street is in a business and residence use district; and

WHEREAS, the decision of the Borough Superintendent of Building, Alt. Appl. No. 659-1938, dated November 10, 1938 reads:

"1. The proposed change of occupancy of building from auto laundry, grease pits, stores, battery service and storage for five cars, to auto laundry, grease pits, motor vehicle repair shop and storage for more than five motor vehicles in a business district is contrary to Section 4 of the Building Zone Resolution."

and

WHEREAS, the existing building is non-fireproof, one story in height, 100.5 ft. frontage by 85.6 ft. in depth. It is proposed to alter and to convert the occupancy of the existing building now used as auto laundry, grease pits, stores, battery service station and storage for five cars, to auto laundry, grease pits, motor vehicle repair shop and storage for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that this was not a proper case in which to exercise its discretion under section 7, subdivision E of the building zone resolution and that insufficient proof of practical difficulty and unnecessary hardship was presented to provide a basis for exercise of discretion.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 659-38, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

68-39-BZ.

APPLICANT—Henry Nordheim, for B. S. and B. Co., Inc., owner (Thomas Viola, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 2963-2965 Webster avenue, west side, 125 ft. north of Bedford Park boulevard (Block No. 3280, Lot No. 58), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Thomas Viola.

For Opposition: Earl I. Gallant, H. Mossberg and A. Wiggers.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(68-39-BZ)

WHEREAS, Henry Nordheim (Thomas Viola, lessee), for B. S. and B. Co. Inc., owner, filed January 18, 1939, an application under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 2963-2965 Webster avenue, west side, 125 ft. north of Bedford Park boulevard (Block No. 3280, Lot No. 58), Borough of the Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting November 21, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals and

WHEREAS, the use district maps accompanying the building zone resolution show that Webster avenue is in a business use district; Decatur avenue, Bedford Park boulevard and East 202nd street are in residence and business use districts; and

WHEREAS, the decision of the borough superintendent of buildings dated January 11, 1939, reads:

"Your application for a certificate of occupancy to park and store more than five (5) motor vehicles at the above location is hereby denied, as these premises are located in a partly business and partly residence district, where the parking or storage of more than five motor vehicles is contrary to Section 3 and Section 4 of Article 2 of the amended building zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 120 ft. The rear portion of the plot extends into the residence use district for a distance of 20 ft. The remainder of the site is located in a business use district. It is proposed to occupy the site for

MINUTES

a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that it should not exercise its discretion to grant a zoning variance under Section 7-H of the building zone resolution and that no proof of practical difficulty or unnecessary hardship was presented to justify exercise of discretion to grant the relief sought.

Resolved, that the decision of the borough superintendent, dated January 11, 1939, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

813-39-BZ.

APPLICANT—Wood and Marshall, for Samuel H. Baylis, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—120-43 to 120-45 Farmers boulevard, northeast corner of 121st (Arthur) avenue (Block No. 3362, Lot No. 1), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Clifford B. Marshall.

For Opposition: R. E. Dalrymple.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

THE RESOLUTION—

(813-39-BZ)

WHEREAS, Wood and Marshall, for Samuel H. Baylis, owner, filed June 19, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station; premises: 120-43 to 120-45 Farmers boulevard, northeast corner of 121st (Arthur) avenue (Block No. 3362, Lot No. 1), St. Albans, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 21, 1939, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Farmers boulevard is in a business use district; 121st (Arthur) avenue is in a residence and business use district; 120th road (Highland avenue) is in a residence and business use district and Milburn street is in a residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, N. B. Application No. 3307-39, dated May 22, 1939, reads:

"1. The erection of a gasoline service station, lubricatorium and laundry, is contrary to Art. II, Sec. 4A of the Building Zone Resolution."

and

WHEREAS, the premises, part of a larger parcel of property, consist of an irregular shaped plot of ground having a frontage of 78 ft. on Farmers boulevard, 86 ft. on 121st (Arthur) avenue and a distance of 75 ft. along the easterly lot line. It is proposed to erect upon the plot, a one story building, 40 ft. by 24 ft. in area, to be used as auto laundry, lubricatorium and office, and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the build-

ing zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent on N. B. Application No. 3307-39 be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

982-39-BZ.

APPLICANT—Robert J. Farrington, for Chapmald Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 406-420 West 55th street, south side, 100 ft. west of Ninth avenue (Block No. 1064, Lot Nos. 37 to 42, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Robert J. Farrington.

For Opposition: Norman Rahill, Charles Grossman, Andrew Taggard, Jerome Hirshfeld, Benjamin Gollay, Morris Kline and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners

Savage and Blum and Assistant Chief

Walsh 4

THE RESOLUTION—

(982-39-BZ)

WHEREAS, Robert J. Farrington, for Chapmald Realty Corporation, owner, filed July 14, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 406-420 West 55th street, south side, 100 ft. west of Ninth avenue (Block No. 1064, Lot Nos. 37 to 42, inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 21, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 54th street and West 55th street are in residence and retail use districts; Ninth avenue and Tenth avenue are both in a retail use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated June 19, 1939, reads:

"Your application dated June 8, 1939, for a Certificate of Occupancy for the use of the above premises for parking and storage of more than five motor vehicles, has been denied for the reason that the premises are located in a residence district, where this occupancy is prohibited by section 3 of Article 2 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 154 ft. and a depth of 100 ft. It is proposed to occupy the site for a temporary period of not more than two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

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Resolved, that the decision of the Borough Superintendent, dated June 19, 1939, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1094-39-BZ.

APPLICANT—Sheffield Farms Company, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a, 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—52-02 Flushing avenue, south side, 106 ft. west of Sophie street and 52-15 Metropolitan avenue (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: William C. Stohldreier, Frederick S. Rohlf and H. McNabb.

For Opposition: Frederick Held, John Kohnken, Henrietta Wecht, Matilda Kosel and Minnie Klein.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1094-39-BZ)

WHEREAS, Sheffield Farms Company, Inc. owner, filed August 23, 1939, an application under sections 7a, 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises: 52-02 Flushing avenue, southside, 106 ft. west of Sophie street and 52-15 Metropolitan avenue (Block No. 2632, Lot No. 12), Maspeth, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting November 21, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Flushing avenue is in a business and unrestricted use district; Metropolitan avenue is in a business, residence and unrestricted use district; 53rd (Sophie) street is in a residence and business use district and Nurge avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, re Applic. No. 956-39, dated March 31, 1939, as amended by decision dated August 18, 1939, reads:

"1. The use of the premises for a garage for more than five cars in a business district and extending into a residence district, is contrary to Art. 2, Sections 4 and 3 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 131 ft. on Flushing avenue, 244 ft on Metropolitan avenue and a distance of 469 ft. along the northerly lot line. An irregular shape area at the northerly portion of the plot is located in a business use district. The plot is occupied as a milk distributing plant, with stables, wagon room, car washing room and cooling room. It is proposed to occupy the premises as a garage for more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion and grant under Section 7, subdivision C of the building zone resolution;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use dis-

trict regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 7-C thereof, to permit the premises to be occupied for the present use as a milk distributing station, using more than five motor vehicles in connection therewith, *on condition* that it shall be so operated by the present owner, Sheffield Farms Co. Inc., or a subsidiary thereof; that the building shall comply in all respects with the requirements for garage use, except that if the owner desires to occupy only such portion of the building as complies with such garage requirements, the balance of the building shall be left vacant and unoccupied, provided such parts are separated from the garage portion by fireproof walls with approved self-closing doors; that no additional openings shall be made in the side walls or lot line walls or roofs, other than those now existing; that in the event the portion of the building to the south is used for garage purposes, the present skylights and all nonfireproof construction below the roof within that portion of the building shall be entirely removed; that the ceilings shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that any new skylights constructed shall be erected not nearer than 15 feet to the side lot line; that the requirements of the resolution adopted by the Board under Cal. No. 177-34-BZ shall be complied with, except as to the variation of use as herein permitted; that there shall be no servicing or repairing of automobiles carried on in the premises; that there shall be no addition in height or area; that this variance shall continue only so long as the building is used as herein permitted; that space shall be provided for the privately owned cars of employees to be stored within the building during working hours; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

Adjourned, 2:40 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 21, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

207-31-BZ.

APPLICANT—Abraham N. Horwitz, for 1146 Southern Boulevard Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re decision of the borough superintendent of buildings—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the installation and maintenance of a gasoline service station.

PREMISES AFFECTED—1148 Southern boulevard, east side, 237 ft. north of East 167th street (Block No. 2745, Lot No. 11), Borough of The Bronx.

APPEARANCES—

For Applicant: Abraham N. Horwitz.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

535-32-BZ.

APPLICANT—Frederick R. Ryan, for W. Parsons Todd, owner.

MINUTES

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7f of the building zone resolution, permitting in a business use district, the maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—2300-2310 Boston road and 701-709 Astor avenue, northeast corner (Block No. 4346, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick R. Ryan.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
..... 0

THE RESOLUTION—

(535-32-BZ)

WHEREAS, this application affecting premises 2300-2310 Boston road, and 701-709 Astor avenue, northeast corner (Block No. 4346, Lot No. 5), Borough of The Bronx, was granted by the board for a temporary period of two years under section 7, subdivision F, June 9, 1933, time extended October 15, 1935 and November 16, 1937, and the owner, through his attorney, requested a reopening of the application and an amendment of the resolution for a further extension of the period of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on June 9, 1933, as amended by resolutions of the Board adopted October 15, 1935 and November 16, 1937, only so far as relates to the term of the permit, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7, subdivision F thereof, for a period of two years *expiring November 16, 1941, on condition* that all gasoline pumps shall be set back not less than 10 ft. from the building lines of Astor avenue and Boston road; that there shall be but two driveway entrances to the station, both from Boston road and that opposite these entrances cuts in the curb shall not exceed 25 ft. in width; that there shall be no entrance nearer than 10 ft. to the intersection formed by Astor avenue and Boston road; that there shall be no entrance to the station from Astor avenue; that the entire area of the plot shall be covered with cement or blue-stone; that all uses accessory to the gasoline station business shall be housed in one-story structures; that if grease pits are installed they shall be similarly housed in a one-story structure with open front; that advertising signs shall be limited to the illuminated globes of the gasoline pumps and to permanent flat signs placed against the front walls of accessory buildings; that there shall be no portable gasoline pumps used on or from the property; that no automobile repairing shall be permitted on the property; that no automobile storage shall be permitted on the property, except parking cars being serviced; that there shall be erected on the interior lot lines a fence of wood or woven wire, not less than five (5) feet in height; that all permits required shall be obtained within three months and all work completed within six months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS

696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED — 2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Max Siegel and Ivan Slepak.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Laid over to December 12, 1939, at 2 p.m., pending court decision.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES—Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED — 28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Max Siegel and Ivan Slepak.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Laid over to December 12, 1939, at 2 p.m., pending court decision.

1005-39-A.

APPLICANT — Alex Del Giorno, for Mary Fracchia, owner (Ferno Badagnani, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—22-71 33rd street, east side, 76 ft. 2 3/8 in. north of 23rd avenue (Block No. 832, Lot No. 2), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Henry Serra.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Laid over to November 28, 1939, at 2 p.m., for inspection by committee of board.

1111-39-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer for Alfred Rader, acting borough superintendent, department of housing and buildings, Borough of Brooklyn.

OWNER OF PREMISES — William Crystal and Anna Crystal (Samuel Budoff, lessee).

SUBJECT—Application for the revocation of Certificate of Occupancy No. 66349 and Permit No. 11430-31.

PREMISES AFFECTED — 545-567 Ridgewood avenue, northeast corner of Nicholas avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Owner: Beatrice Sloane.

ACTION OF BOARD—Laid over to November 28, 1939, at 2 p.m., awaiting decision of court.

1325-39-A.

APPLICANT—Mae L. Reiser, for Anna Shafran, owner (Leah H. Katz, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2281 Ocean parkway, east side, 120 ft. north of Avenue W (Block No. 7158, Lot No. 60), Borough of Brooklyn.

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APPEARANCES—

For Applicant: M. L. Reiser.
For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Laid over to December 12, 1939, at 2 p.m., for inspection by a committee of the board.

1058-39-A.

APPLICANT—Lomis Realty Corporation, owner (First Avenue Bathing Corporation, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—24 First avenue, east side, 44 ft. south of East Second street (Block No. 429, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Milton G. Tunick.
For Administration: Inspector Maher, fire dept.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1219-39-A.

APPLICANT—Harold Klorfein, for Dept. of Parks.

OWNER OF PREMISES—440 East 102nd Street Corporation.

SUBJECT—Appeal from a decision of the department of housing and buildings, re Revocation of Permit No. 3839-39 and Certificate of Occupancy No. 25131, Misc. Applic. 362-39, Drop Curb Permit No. M-229, B. N. 1698-39 and Alt. 2729-39.

PREMISES AFFECTED—440 East 102nd street, southwest corner East River drive (Block No. 1695, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant—Harold Klorfein.
For Owner: Edgar A. Palmieri, Alfred A. Lama and Edwin H. Snackenberg.
For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief Walsh 3
Negative: Commissioner Savage 1

THE RESOLUTION—

1219-39-A)

WHEREAS, Harold Klorfein, for the Department of Parks, filed on October 5, 1939, an appeal from a decision of the Department of Housing and Buildings, refusing to revoke permit, No. 3839-39, Certificate of Occupancy No. 251-31 Drop Curb Permit No. N-229, Misc. Applic. 362-39, Bldg. Notice No. 1698-39 and Alt. Applic. 2729-39, affecting premises: 440 East 102nd street, southwest corner East River drive (Block No. 1695, Lot No. 25), Borough of Manhattan; and

WHEREAS, the decision of the Department of Housing and Buildings, dated September 8, 1939, reads:

"Commissioner Wilson has referred to me your letter of August 31, 1939, relative to gasoline pump and tank system being installed on the subject premises.

It is a fact as you stated, that the premises in question are located in a residence use district as a result of an amendment to the Building Zone Resolution on April 23, 1937.

The subject premises were occupied for a use prohibited in a residence use or business use district for some years past. The stable use occupancy extended back as far as the year 1900.

This Department checked with the Fire Department and learned that the stable use existed prior to the year 1916. A letter in our files, addressed to Mr. Edward A. Palmieri of 32 Court street, Brooklyn, by the Fire Department under date of June 23, 1939, states that a report from the Division of Combustibles, from Commanding Officer of Hook and Ladder Co. No. 43, the above-mentioned premises (440-42 East 102nd Street) were used as a stable in 1900.

A letter from the Department of Health under date of June 26, 1939, states that the records of said Department disclose that the premises 440-442 and 446-448 East 102nd Street, New York City, operated as a stable under various permits issued in the years 1915, 1917, 1918, 1919 and 1924. The Department of Health further states that permits remain 'in force until revoked.'

A photostat copy of a permit issued by the Department of Health, Sanitary Bureau, under date of November 1st, 1929, and marked as a duplicate of permit No. 2550 issued January 14, 1918 as 'in force until revoked.'

We also have in our files various sworn statements to persons who operate in the immediate vicinity of the subject premises, substantiating the statement of the applicant for gas station approval, that the subject premises have been used for nonconforming use continuously since some years prior to the date in which the use was changed to residence under the Building Zone Resolution.

This Department has the right to refuse a permit to cut the curb if, in its opinion, the use of the sidewalk as a driveway by motor vehicles would constitute a pedestrian or traffic hazard.

We refused to issue curb cut permits on the East River Drive because in our opinion vehicles entering or leaving the subject premises on the drive front might introduce a traffic hazard.

We had no justification for refusing the use of curb cut permits on 102nd street, a one-way street, with little traffic.

I can assure you that we will make every effort to cooperate with your department, but in this instance we can see no justification for a refusal of the approval which was granted."

and

WHEREAS, the premises consist of a plot, 126 ft. 5¼ in. by 105 ft. 1¾ in. operated as a gasoline station; located in a residence use, "A" area, district; and

WHEREAS, the applicant contends that the Department of Housing and Buildings erred in permitting the owner of the premises to use the same for a gasoline service station in violation of the Building Zone Resolution and in denying a request for the revocation of such permission; and

WHEREAS, these premises were the subject of a report by a committee of the board which report reads:

REPORT OF COMMITTEE

Re: Cal. No. 1219-39-A—S.W. corner E. 102nd St. and E. River Drive, Manhattan.

This is an appeal from the decision of the Borough Superintendent refusing to revoke the certificate of occupancy issued after approval of an application for a change of use from a stable for more than five horses to a gasoline service station.

The plot is located at the southwest corner of East River Drive and East 102nd street and is located in an area zoned for residential use except for a small section along the westerly lot line which is in an unrestricted area. The entire plot was formerly and until December, 1934, located in an unrestricted area.

The use of the plot as stables and open space for more than five horses and for storage of wagons antedated the adoption of the zoning resolution as well as the change of zone and was a continuing non-conforming use until after a permit was obtained from

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the Borough Superintendent for the change of use to a gasoline station.

The plot formerly extended easterly toward the East River, but a certain part was condemned by the City for the construction of East River Drive and this taking necessitated the destruction of parts of buildings formerly occupied for the stable use and uses accessory thereto. The remaining parts of two such buildings were also demolished and another frame building was removed after a fire, leaving, at the time the permit was issued by the Borough Superintendent of Buildings for the change of use, one brick stable building in the southwesterly corner of the plot which it was proposed to retain without alteration. At the present time this building has not been interiorly altered but the exterior has been stuccoed but not otherwise changed. The balance of the plot has been concreted, gasoline tanks and pumps have been installed, curb cuts to East 102nd street have been constructed, all under a permit issued since September 19, 1939. A permit to store gasoline was issued by the Fire Department on September 27, 1939. An application for curb cuts to East River Drive has been denied by the Borough Superintendent. The total cost of the work involved is stated on the basic application as "None".

A digest of the action taken by the Department of Housing and Buildings and the Fire Department is as follows:

B.N. 1698-39—filed May 12, 1939, cost given "none" Disapproved July 7, 1939. Reconsidered and Approved on July 18, 1939; on the reconsideration memo of the Borough Superintendent that the conversion to the new use without alteration to the building in excess of 50% is permissible under the law (Section 6). Record by Inspectors shows that the "Premises have been abandoned for some time (undetermined);" that "Application for Approval as a Junk Shop was Disapproved on the ground that the district was restricted;" that "An Application for a Parking Space for more than five cars was Disapproved March 24, 1939, on the ground that the district was restricted."

Fire Prevention Application 362 of 1939, filed May 12, 1939, for installation of six 550 gallon gasoline tanks and 6 pumps—estimated cost \$1,200—Disapproved by examiner May 19, 1939. Reconsidered and Approved July 19, 1939, in view of approval of B. N. 1698 of 1939. Plans filed with this application show plot 105' 13/4" on East 102nd street, 126' 5" on East River Drive—two curb cuts on each street, 6 gasoline storage tanks, one pair pumps 10 feet from 102nd Street—2 pairs pumps 10 feet from East River Drive—1 story brick building to be used for office and accessories.

Alteration Application 2729 of 1939 filed August 15, 1939, for purpose of obtaining a certificate of occupancy because of ruling of the Department that no certificate of occupancy will be issued based on a Building Notice application,—Approved August 25, 1939—Statement of Estimate Cost "No Cost". Application for Permit No. 3839 of 1939 filed September 19, 1939, and Approved September 19, 1939.

Application for Drop Curbs M 299 of 1939 filed July 20, 1939; Approved August 11 for two curbs on East 102nd Street (2 curb cuts originally requested on East River Drive were omitted upon denial of curb cuts on East River Drive, August 10, 1939, after report from Police Commissioner recommended that there should be no curb cuts on East River Drive).

Application No. 1096-1939 for Certificate of Occupancy filed September 15, 1939, for gasoline service station, office and accessories—Approved by Inspector of Construction, September 15, 1939, for gasoline service station, office and accessories. Ap-

proved by Inspector as to construction of gasoline tanks August 11, 1939. Recommended by Public Safety Division for issuance of certificate of occupancy Sept. 18, 1939, as gasoline service station, office and accessories. Work completed under B.N. 1698 of 1939, alteration 2/29 of 1939. Curb cut permit M 299 of 1939. Certificate of Occupancy No. 25131, issued September 19, 1939, permitting use as a gasoline service station, office and accessories. Building 50' 0" x 58' 0" and 6 550-gallon gasoline tanks—Date of completion recorded as September 15, 1939. Fire Department application for combustible permit for oil selling station and storage of 3300 gallons of gasoline, 120 gallons of lubricating oil and 25 gallons of kerosene, filed September 26, 1939, permit No. 240,789 issued by Division of Combustibles September 27, 1939.

The basis for the change of use permitted by the Borough Superintendent is the provision in the Zoning Resolution Section 6, paragraphs b 3 and 4, which reads: "(3) In a residence district no building or premises, unless devoted to one of the uses that is by section 4 prohibited in a business district, shall be changed to any of such uses, and (4) In a residence or business district no building or part thereof and no premises, unless devoted to one of the uses that is by paragraph a or b of section 4 prohibited in a business district, shall be changed to any of such uses."

A stable for more than five horses and a gasoline service station are both uses that are prohibited in a business use district by paragraph a of Section 4.

There is ample evidence that the entire plot was occupied as a whole as a stable for more than five horses continuously since prior to 1916.

In Section 6, subdivision a, permission is given to continue an existing non-conforming use in a building and to make structural alterations in the building no greater than 50% of the value of the building provided the use was not changed; and also to change the use as authorized by paragraph "b". There also appears the following pertinent prohibition reading "and provided further, that no use included in any one of the enumerated subdivisions of paragraph a of section 4 is changed into a use included in any other enumerated subdivisions of paragraph a of section 4. . . ."

While this prohibition deals with a building only it appears to be in conflict with the provisions of paragraph b 3 and 4 which deal not only with buildings but also with premises now interpreted to include land. (Monument Garage vs. Levy)

The involved and seemingly contradictory wording of section 6 has been confusing and court rulings have not entirely clarified its meaning.

In one of the earliest cases (Werbelowsky and Lavine Realty Co. vs. Walsh), the Appellate Division upheld the Board in granting a zoning variance to change a theatre to stores in a residence district pointing out that while it was conceded that the theatre established before zoning could continue that it required a zoning variance by the Board to permit the change from the business use of a theatre to the business use as stores.

In a more recent case (Kaltenbach vs. Board), the Court of Appeals declared that the Board should have revoked the certificate of occupancy issued by the Department of Buildings authorizing a change of use from stone cutting, a prohibited use in a business district, to a gasoline station, also a prohibited use in a business district. While the Court pointed out that the gasoline station was an added use and not in substitution for the stone cutting still continued on the balance of the plot, the Court also defined the "gasoline pumps and tanks" as part of a "single structural unit" of a gasoline station.

The most recent decision of the Court of Appeals

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(Fortuna vs. Board) reversed the Board in its decision that a change from a stable use to a gasoline station use was permitted under section 6, provided there were no structural alterations involved increasing the envelope of the existing buildings and provided the new use is in complete substitution of the present use. The Board held that this much required no variance, but the Board also under section 21 granted a variance to permit reconstruction for the gasoline station purposes. The Court reversed the Board in its findings of hardship, but made no specific ruling as to the change of use which the Board found was a matter of right under section 6 b.

Two other recent decisions involving Section 6 (Levine vs. Nation Wide Petrol Corporation and Rosen vs. the Board and Siegel vs. Moran) have not only added no light as to the intent of this Section but have increased the confusion.

The decisions of the Court of Appeals in the Matter of Kaltenbach and in the Matter of Fortuna indicate that the structural changes involved in transforming premises used as a stable and its accessories to the structural unit as a gasoline station are not permitted as a matter of right under section 6.

The gasoline station as constructed involved structural work as to gasoline storage tanks, erection of pumps, walls, curb cuts and repaving even though there may have been no structural alterations to a building.

The Board is not passing on the question of vested rights except to point out that if a permit is illegally issued no vested right can ensue.

The Committee recommends that the appeal be granted and the certificate of occupancy and all permits issued in connection with the gasoline service station use be revoked.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
(dissenting)
CHARLES M. BLUM
PATRICK WALSH
Committee.

Resolved, that the decision of the Department of Housing and Buildings, dated September 8, 1939, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, revoking Certificate of Occupancy No. 25131 and all permits issued in connection with the gasoline station use.

1315-39-A.

APPLICANT—David Millman, for Jacob Block, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 211 Legion street, east side, 275 ft. south of Blake avenue (Block No. 3553, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1315-39-A)

WHEREAS, David Millman, for Jacob Block, owner, filed October 25, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 211 Legion street, east side, 275 ft. south of Blake avenue (Block No. 3553, Lot No. 11), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 2147-39, dated October 23, 1939, reads:

"3. 6 ft. 8 in. height of basement ceiling is contrary to Section 5.1.4.2, C26-261.0(b).

4. Area of windows for legal ventilation to comply with Section 5.1.4.1, C26-261.0 a(2)."

and

WHEREAS, the building is two stories (25 ft.) in height, 20 ft. by 55 ft. in area, on a lot 25 ft. by 100 ft. in area, of class 3 construction, located in a residence district, erected in 1924 and occupied; basement—boiler room, kitchen, and dining room; 1st floor—doctor's offices and two bedrooms; 2nd floor—one family; and

WHEREAS, the applicant contends that the owner has altered the existing two family dwelling, so as to permit the portion of the 1st floor to be occupied for doctor's offices; that it is proposed to use a portion of the basement for the purpose of permitting the doctor's family to occupy same for kitchen and dining room in connection with the two bedrooms located on the 1st floor.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 2147-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the front portion of the basement to be occupied for living rooms in connection with the 1st floor occupancy, *on condition* that the windows opening to the side yard shall be increased as to size, based on the area of the room, so as to meet the requirements of the Building Code therefor; that no such room shall be used in the basement, except as shown on plans filed with the Department of Buildings, as dining room and kitchen; that the rear portion of the cellar shall not be used for living rooms; that the cellar throughout shall be protected with metal ceiling; that this modification shall continue only so long as the building is occupied by not more than two families, one occupying the 2nd floor, and one family, including doctor practising on the premises, occupying the 1st floor and the herein permitted two (2) rooms in the basement.

1320-39-A.

APPLICANT — Samuel Rosenblum, for Madison Court, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1070 Madison avenue and 26 East 81st street, southwest corner (Block No. 1492, Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Inspector Maher, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1320-39-A)

WHEREAS, Samuel Rosenblum, for Madison Court Inc., owner, filed on October 11, 1939, an appeal from an order and a decision of the Fire Commissioner, affecting premises: 1070 Madison avenue and 26 East 81st street, southwest corner (Block No. 1492, Lot No. 56), Borough of Manhattan; and

WHEREAS, Order No. 5242-LF, issued by the Fire Commissioner July 19, 1938, reads:

"1. Install an approved standpipe system arranged and equipped as per Art. 17, Chap. 26, Adm. Code."

and WHEREAS, the said order was referred to in a decision of the fire commissioner dated October 6, 1939; and

WHEREAS, the building is 8 stories (98 ft.) in height to main roof and 109 ft. in height to penthouse roof; 48 ft. by 102 ft. 2 in. in area; of Class 1 construction; erected in 1899; located in a business use district and occupied throughout as a multiple dwelling; and

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WHEREAS, the applicant contends that at the time of the erection of this building, there was no standpipe requirements for a structure of this type; that the building code promulgated in 1906 specified in Section 102, that a standpipe was only required if the building exceeded 100 ft. in height; that this building to the height of the main roof is 98 ft. There is a penthouse on the roof used for maids' rooms. The total height of the building to the main roof at the Madison avenue level is 98 ft. and the penthouse is 11 ft. in height. The building is equipped throughout with fire extinguishers.

Resolved, that the order of the fire commissioner, No. 5242-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and that such additional portable fire-fighting appliances shall be installed as the fire commissioner shall direct.

1333-39-A.

APPLICANT—David Kaufman, for Edward J. Davey, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—801 East 134th street, north side, 150 ft. east of Willow avenue (Block No. 2586, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: David Kaufman.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1333-39-A)

WHEREAS, David Kaufman, for Edward J. Davey, Inc., owner, filed on October 27, 1939, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises: 801 East 134th street, north side, 150 ft. east of Willow avenue (Block No. 2586, Lot No. 12), Borough of The Bronx; and

WHEREAS, the decision of the Borough Superintendent, acting on Fire Prev. Applic. No. 578-39, dated October 15, 1939, reads:

"1. All oil burning devices, including Diesel engines, should be approved by Board of Standards and Appeals. Oil Burner Rules, 2.16, 10.1.2 and 4.3." and

WHEREAS, the building is one story (23 ft.) in height, 53 ft. by 200 ft. in area; of Class 5 construction; located in an unrestricted use district; erected in 1925; occupied for stone cutting, 10 persons; and

WHEREAS, the applicant contends that in no place in the Oil Burner Rules, does it specifically state that Diesel Engines must be approved by the board; that in all previous installations of Diesel engines, no such request had been made by any borough superintendent or by the fire commissioner.

Resolved, that the decision of the Borough Superintendent, acting on Fire Prev. Applic. No. 578-39, Objection No. 1 be and it hereby is *modified* and that the Board of Standards and Appeals does hereby *grant* a variance of the Oil Burner Rules *on condition* that in all respects, other than the use of the Diesel engine (Venn-Severin), the said rules shall be complied with.

1336-39-A.

APPLICANT—Moss Homes, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 69-78, 69-82 and 69-86 182nd street, northwest corner of 73rd avenue and west

side of 182nd street, 50.1 ft. and 90 ft. north of 73rd avenue (Block No. 7134, Lot No. 6), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Moss.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1336-39-A)

WHEREAS, Moss Homes, Inc., owner, filed October 30, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 69-78, 69-82 and 69-86 182nd street, northwest corner of 73rd avenue and west side 182nd street, 50.1 ft. and 90 ft. north of 73rd avenue (Block No. 7134, Lot No. 6), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. Nos. 8061, 8066, and 8067-39, dated October 9, 1939, reads:

"The erection of a frame building in the fire limits is contrary to Sec. 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot fronting 130.1 ft. on 182nd street and 100.06 ft. on 73rd avenue, which it is proposed to sub-divide into three separate lots and to erect thereon one-two-story and two 2½ story one family frame dwellings, and three private garages; and

WHEREAS, the applicant contends that the dwellings will be surfaced on the exterior of the 1st story with brick veneer and with wood siding above; that the garages will be constructed of frame with brick veneer and slate roofs and located one foot off the side and rear lot lines; that the area in which the buildings are to be located, is rural in character, and no business structure is within considerable distance of the proposed dwellings; that the use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon, would constitute a detriment and eyesore to the neighborhood for many years to come, for the plot may never have any commercial value.

Resolved, that the decision of the Borough Superintendent of Buildings, acting on N.B. Applic. No. 8061, 8066 and 8067-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, so as to permit the erection of the frame residence and garage buildings as proposed, *on condition* that the residence buildings shall be used solely as a dwelling for one family; that the size of yards and courts and other open spaces shall be in accordance with the plan filed with this appeal and that the construction of the buildings shall comply with the construction proposed.

1337-39-A.

APPLICANT—Moss Homes, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED — 69-77, 69-81 and 69-85 182nd street, northeast corner of 73rd avenue and east side of 182nd street, 50.96 ft. and 90.96 ft. north of 73rd avenue (Block No. 7135, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Moss.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1337-39-A)

WHEREAS, Moss Homes, Inc., owner, filed October 30, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 69-77, 69-81 and 69-85 182nd street, northeast corner 73rd avenue and east side 182nd street, 50.96 ft. and 90.96 ft. north of 73rd avenue (Block No. 7135, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, on N.B. Applic. Nos. 8058, 8063 and 8588-39, dated October 25, 1939, reads:

"The erection of a frame building within fire limits is contrary to Sec. 4.1.2, N.B.C."

and
WHEREAS, the premises consist of a plot 130.96 ft. on 182nd street and 100.46 ft. on 73rd avenue, which it is proposed to subdivide into 3 separate lots and to erect thereon, two one-family frame dwellings with separate garages and one one-family frame dwelling with attached garage; and

WHEREAS, the applicant contends that the dwellings will be brick veneered on the 1st story and stuccoed on the 2nd story, or surfaced with siding on the 2nd half story; that the detached garages will be of brick veneer with slate roof, located one foot off the rear and side lot lines; that the area in which the buildings are to be located is rural in character and no business structure is within considerable distance of the proposed dwellings; that the use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon, would constitute a detriment and eyesore to the neighborhood for many years to come, for the plot may never have any commercial value.

Resolved, that the decisions of the Borough Superintendent of Buildings acting on N.B. Applic. Nos. 8058, 8063 and 8588-39, be and they hereby are *modified* and that the appeal be and it hereby is *granted*, so as to permit the erection of the frame residence and garage buildings as proposed, *on condition* that the residence buildings shall be used solely as a dwelling for one family; that the size of yards and courts and other open spaces shall be in accordance with the plan filed with this appeal and that the construction of the buildings shall comply with the construction proposed.

1340-39-A.

APPLICANT — Ansonia Fire Prevention Company, for Augustus E. Beckstein, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—96-100 Hudson street and 1-5 Leonard street, northeast corner and 161-163 Franklin street (Block No. 179, Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Inspector Maher, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1340-39-A)

WHEREAS, Ansonia Fire Prevention Company, for Augustus E. Beckstein, owner, filed October 31, 1939, an

appeal from an order and a decision of the fire commissioner, affecting premises: 96-100 Hudson street and 1-5 Leonard street, northeast corner and 161-163 Franklin street (Block No. 179, Lot No. 56), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 5082-LF, dated June 26, 1939, reads:

"1. Provide an automatic fire alarm complete with Central Office connection, in basement and sub-basement."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated October 24, 1939; and

WHEREAS, the building is 10 stories and penthouse (128 ft. 4 in.) in height, 57 ft. 3 in. by 89 ft. 3½ in. in area, of class 1 construction, located in an unrestricted use district, erected in 1909, and occupied: sub-cellar—storage of canned goods; cellar—vacant; 1st floor—stores—30 persons; 2nd to 10th floors—offices, 45 persons per floor; penthouse—caretaker's apartment; and

WHEREAS, the applicant contends that both the cellar and sub-cellar are equipped throughout with a non-automatic sprinkler system with siamese connection on both the Leonard and Franklin street fronts; in addition, to the non-automatic sprinkler system, both cellar and sub-cellar are equipped with two standpipe hose outlets each, and standpipe is supplied by a 7,000 gallon gravity tank located above the roof.

Resolved, that the order of the fire commissioner, No. 5082-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that in all other respects the existing non-automatic sprinkler system in the cellar and sub-cellar shall be maintained to the satisfaction of the fire commissioner and that in all other respects, all laws, rules and regulations applicable to construction and occupancy of the building shall be complied with.

1349-39-A.

APPLICANT—Morris Schwartz, for Alexander Geiger, owner (Isaac Hoffman, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—346 Ocean parkway, west side, 40 ft. south of Avenue C (Block No. 5374, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Schwartz.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1349-39-A)

WHEREAS, Morris Schwartz, for Alexander Geiger, owner (Isaac Hoffman, lessee), filed November 1, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 346 Ocean parkway, west side, 40 ft. south of Avenue C (Block No. 5374, Lot No. 12), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 4423-39, dated October 23, 1939, reads:

"1. Non-fireproof building over 20 ft. in height, for public use is contrary to Sect. 4.2.1 of Building Code.
2. Exits do not comply with Art. 7 of Building Code."

and

WHEREAS, the building is two stories (29 ft.) in height, 61 ft. by 35 ft. in area at 1st floor, 50 ft. by 35 ft. in area above, of class 3 construction, on a lot 75 ft. by 150 ft. in area, located in a residence use district, erected in 1917 and occupied as a one family dwelling; it is proposed to

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occupy the building: cellar—boiler room and storage; 1st floor—convalescent home—15 persons; 2nd floor—same, 10 persons; and

WHEREAS, the applicant contends as to Objection No. 1, that the actual height of the building from the 1st floor level to the ceiling of the 2nd floor, is 22 ft.; that the 1st floor is 4 ft. above curb; that the cellar ceiling is fire-retarded with ½ inch gypsum boards; that it is proposed to enclose the cellar stairs with fire retarded partitions with fire doors at opening in cellar; as to Objection No. 2, the present stair enclosure, constructed of wood studs, wood lath and plaster, is in good condition; that the entrance door on the 1st floor is 4 ft. 6 in. wide; that 4 rooms on the 1st floor have direct exit doors to the exterior of the building; that in lieu of fire-retarding the stair enclosure, it is proposed to install a sprinkler system in the stairhall.

Resolved, that the decision of the Borough Superintendent on Alt. Applic. No. 4423-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objections 1 and 2 thereof, *on condition* that no portion of the building shall be occupied for human occupancy above the second story; that the protection proposed by the applicant shall be carried out and that in addition, there shall be a sprinkler head attached to the house water supply and installed in the heater room in the cellar; that such sprinkler system as is proposed to be constructed within the stairhall, may be connected with the house water supply provided supply for same is not less than one inch; that the cellar ceiling shall be fire-retarded throughout, in accordance with the rules of the Board of Standards and Appeals; that this modification shall continue only so long as the occupancy is as proposed and meets all requirements of all laws, rules and regulations applicable thereto, including the requirements of the Department of Hospitals.

1365-39-A.

APPLICANT—Roger Garland, for Egleston Bros. and Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—31-07 Borden avenue and east side of 31st (Mount) street, 337 ft. north of Borden avenue (Block No. 289, Lot Nos. 1 and 16), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Roger Garland.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1365-39-A)

WHEREAS, Roger Garland, for Egleston Bros. and Co., Inc., owner, filed November 8, 1939, an appeal with the Board of Standards and Appeals from a decision of the Borough Superintendent of Buildings, affecting premises: 31-07 Borden avenue and east side of 31st (Mount) street, 337 ft. north of Borden avenue (Block No. 289, Lot Nos. 1 and 16), Long Island City, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent of Buildings, rendered November 1, 1939, in acting on Alt. Applic. No. 2589-39, reads:

"1. Area of present building and extension is approximately 82,000 sq. ft. Building must be of fireproof construction, Section 4.2.1, Building Code."

and WHEREAS, it is proposed to alter and extend an existing two story non-fireproof building occupied for steel storage and fabrication, on the first story and office above, with an area of 43 ft. by 200 ft. on first story, 1333 sq. ft. on

mezzanine and 5052 sq. ft. on 2nd floor, by erecting an extension as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that the City has condemned a portion of this structure and that additional area is necessary in order to conduct business.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 2589-39, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be further extended in height or area beyond what is proposed and the construction as shown; that as to Objection No. 2, the exits from the proposed second story shall comply with the requirements of the board as set forth in resolution adopted in connection with Cal. No. 1399-39-S; that the requirements of the Code for a stand-pipe system, which were waived under Cal. No. 240-29-A, need not be met, provided the additional area does not exceed the area shown on plans filed in this appeal.

1381-39-A.

APPLICANT — William O. Staber, for Agnes Wulff, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1620 Centre street, south side, 175 ft. east of Wyckoff avenue (Block No. 3551, Lot No. 18), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: William O. Staber.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

THE RESOLUTION—

(1381-39-A)

WHEREAS, William O. Staber, for Agnes Wulff, owner, filed November 10, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 1620 Centre street, south side, 175 ft. east of Wyckoff avenue (Block No. 3551, Lot No. 18), Ridgewood, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 6582-39, dated October 31, 1939, reads:

"1. Proposed use of frame sheds for commercial garage is contrary to Section 4.2.1. Building Code."

and

WHEREAS, the building is one story (12 ft.) in height, 19 ft. 6 in. by 100 ft., irregular in area, of Class 5 construction, on a plot 50 ft. by 100 ft. in area, located in an unrestricted use "C" area district erected prior to 1916 and occupied for the storage of motor vehicles; and

WHEREAS, the applicant contends that the structures in question were erected prior to 1916 and used for the stabling of horses and the storage of wagons; that commencing in 1935, the sheds were rented for the storage of motor vehicles; that upon receipt of violation No. 57-39, application No. 6582-39 was filed, to legalize the existing occupancy; that on May 15, 1939, upon advice from an inspector of the fire department, 26 gauge galvanized metal was applied over the existing ceiling and all exposed frame walls within the shed; that the concrete floor was laid; that the total floor area of the sheds in question is approximately 600 sq. ft.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. No. 6582-39, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1386-39-A.

APPLICANT—Albert Kaufman, for Arcadia Realty Corporation, owner.

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SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—438-446 Ocean parkway, west side, 180 ft. south of Cortelyou road (Block No. 5389, Lot Nos. 19-21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Albert Kaufman.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1386-39-A)

WHEREAS, Albert Kaufman, for Arcadia Realty Corporation, owner, filed on November 13, 1939, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises: 438-446 Ocean parkway, west side, 180 ft. south of Cortelyou road (Block No. 5389, Lot Nos. 19-21), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Application No. 2279-39, dated November 13, 1939, reads:

"Application of Ecod lath on more than two (2) stories without scratch coat, is contrary to Section 8.4.10.2 Building Code and the omission of the required perforations on steel ribs is contrary to the approval of the Board of Standards and Appeals. Proposition denied."

and

WHEREAS, the proposed building will be six stories (63 ft.) in height, 100 ft. by 101 ft. 6 in. in area; of Class 3 construction; located in a residence use district and occupied throughout as a Class A multiple dwelling; and

WHEREAS, the applicant requests permission to install Reynolds Flameproof Ecod Lath throughout the entire building in advance of scratch coat and to omit the perforations on the horizontal steel ribs of the lath.

Resolved, that the decision of the borough superintendent be and it hereby is *modified* as to N.B. Applic. No. 2279-39 and that the appeal be and it hereby is *granted on condition* that the lath shall comply with the requirements of the board as set forth under Cal. No. 714-38-SM, as corrected and printed in the Bulletin of the Board of September 26, 1939, when such lath is used in connection with a one-hour partition.

1387-39-A.

APPLICANT—Albert Kaufman, for Highland Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—165-18 Highland avenue, south side, 110 ft. east of 165th street (Block No. 9837, Lot No. 80), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Albert Kaufman.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1387-39-A)

WHEREAS, Albert Kaufman, for Highland Holding Corporation, owner, filed on November 13, 1939, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises: 165-18 Highland avenue, south

side, 110 ft. east of 165th street (Block No. 9837, Lot No. 80), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Application 6682-38, dated November 8, 1939, reads:

"The installation of Reynolds Ecod Lath Plain Flameproof lath and omission of perforations on the horizontal V-rib steel of lath and the lathing of the entire building without interruption in advance of scratch coat is contrary to Section 8.4.10.2 of the Building Code."

and

WHEREAS, the proposed building will be six stories (61 ft. 1¾ in.) in height, 88 ft. 8 in. by 139 ft. 10 in. in area at 1st floor and 88 ft. 8 in. by 102 ft. 4 in. in area above; of Class 3 construction; located in a residence use, "F" area, district; to be occupied throughout as a Class A multiple dwelling; and

WHEREAS, the applicant requests permission to install Reynolds Flameproof Ecod Lath throughout the entire building in advance of scratch coat and to omit the perforations on the horizontal steel ribs of the lath.

Resolved, that the decision of the borough superintendent be and it hereby is *modified* as to N.B. Application No. 6682-38 and that the appeal be and it hereby is *granted on condition* that the lath shall comply with the requirements of the Board as set forth under Cal. No. 714-38-SM, as corrected and printed in the Bulletin of the Board of September 26, 1939, when such lath is used in connection with a one-hour partition.

1388-39-A.

APPLICANT—Albert Kaufman, for Garland Realty Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—35-43 84th street, east side, 100 ft. north of 37th avenue (Block No. 1458, Lot No. 46), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Albert Kaufman.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1388-39-A)

WHEREAS, Albert Kaufman, for Garland Realty Co., Inc., owner, filed November 13, 1939, an appeal with the Board of Standards and Appeals from a decision of the Borough Superintendent of Buildings, affecting premises: 35-43 84th street, east side, 100 ft. north of 37th avenue (Block No. 1458, Lot No. 46), Jackson Heights; Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent of Buildings, rendered November 8, 1939, in acting on N. B. Application No. 7937-39, reads:

"The installation of Reynolds Ecod plain flameproof lath and the omission of perforations in horizontal V-rib steel of lath on entire building lathed without interruption in advance of scratch coat, is contrary to Section 8.4.10.2 of Building Code."

and

WHEREAS, it is proposed to erect a 6 story non-fireproof multiple dwelling 300 ft. by 80 ft. in area, using flameproof Ecod lath throughout.

Resolved, that the decision of the Borough Superintendent be and it hereby is *modified* as to N. B. Application No. 7937-39 and that the appeal be and it hereby is *granted on condition* that the lath shall comply with the requirements of the Board as set forth under Cal. No. 714-38-SM, as

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corrected and printed in the Bulletin of the Board of September 26, 1939, when such lath is used in connection with a one-hour partition.

1402-39-A.

APPLICANT—Shreve, Lamb and Harmon, Wm. F. R. Ballard and Sylvan Bien, for New York City Housing Authority (U. S. Housing Project N. Y. 5-3), owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED — 70G-72G Gouverneur street, entire block, bounded by Gouverneur, Madison, Jackson and Water streets (Buildings 1 to 18, inclusive); (Block No. 260, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: W. F. R. Ballard, Harry L. C. Gall, John Riley and Fred Severnd.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1402-39-A)

WHEREAS, Shreve, Lamb and Harmon, Wm. F. R. Ballard, and Sylvan Bien, for New York City Housing Authority, owner, filed on November 14, 1939, an appeal from a decision of the Acting Borough Superintendent of Buildings, affecting 18 buildings on the block bounded by Gouverneur, Jackson, Madison and Water streets (Block No. 260, Lot No. 1); (Buildings Nos. 1 to 18, inclusive, U. S. Housing Project and N.Y. 5-3, also known as 70G-72G Gouverneur street), Borough of Manhattan; and

WHEREAS, the decision of the Acting Borough Superintendent on N.B. Applic. No. 128-39, dated November 1, 1939, reads:

"36. Enclosure walls of building should comply with Section 7.1.1.3 of the Building Code for Structural Clay Tile which requires one inch thick shells and also as per A.S.T.M., D.C. 34-34T for medium tile."

and

WHEREAS, the proposed buildings will be six stories (52.79 ft.) in height; of Class 1 construction; located in residence and retail use districts and to be occupied throughout as Class A multiple dwellings; and

WHEREAS, the applicant contends that the exterior walls will be "panel walls", supported at each floor with a maximum height not to exceed 7 ft. 3 in. The back-up tile will be 8 in. thick protected with 4 in. brick facing on the outside; that all outside walls will be furred with free standing metal furring; that spandrel beams will be protected with spandrel flashing, except at first tier, as shown on detail of wall section filed with this appeal.

Resolved, that the decision of the acting borough superintendent, on N.B. Applic. No. 128-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 36, so as to permit the use of approved step type two cell terra cotta block weighing not less than 30 lbs. for a block 8 in. by 12 in. by 12 in. having a shell of not less than $\frac{5}{8}$ in. and a web not less than $\frac{1}{2}$ in. and complying with the requirements of the A.S.T.M. therefor for non-load bearing tile; that in all other respects the walls shall be constructed as required in the Building Code under Section 84.9.4 and that the mortar shall be approved portland cement mortar; and *on condition* that the height of the panel section between spandrel beams shall not exceed the height proposed.

1403-39-A.

APPLICANT—Shreve, Lamb and Harmon, Wm. F. R. Ballard and Sylvan Bien, for New York City Housing Authority (U. S. Housing Project N. Y. 5-3), owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—345M to 367M Madison street, north side, 95.79 ft. east of Scammel street through to Henry street (Buildings 19 and 20); (Block No. 267, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: W. F. R. Ballard, Harry L. C. Gall, John Riley and Fred Severnd.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1403-39-A)

WHEREAS, Shreve, Lamb and Harmon, Wm. F. R. Ballard and Sylvan Bien, for New York City Housing Authority, owner, filed on November 14, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises: 345M to 367M Madison street, north side, 95.79 ft. east of Scammel street, running through to Henry street (Block No. 267, Lot No. 24); Bldgs. 19 and 20, Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on N. B. Applic. No. 129-39, dated November 1, 1939, reads:

"36. Enclosure walls of building should comply with Section 7.1.1.3 of the Building Code for Structural Clay Tile which requires one inch thick shells and also as per A.S.T.M., D.C. 34-34-T for medium tile."

and

WHEREAS, the proposed buildings will be six stories (52.79 ft.) in height, 178.42 ft. by 58.21 ft. in area, each of Class 1 construction; located in residence and retail use districts and to be occupied throughout as Class A multiple dwellings; and

WHEREAS, the applicant contends that the exterior walls will be "panel walls", supported at each floor with a maximum height not to exceed 7 ft. 3 in. The back-up tile will be 8 in. thick protected with 4 in. brick facing on the outside; that all outside walls will be furred with free standing metal furring; that spandrel beams will be protected with spandrel flashing, except at first tier, as shown on detail of wall section filed with this appeal.

Resolved, that the decision of the acting borough superintendent, on N. B. Applic. No. 129-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 36, so as to permit the use of approved step type two cell terra cotta block weighing not less than 30 lbs. for a block 8 in. by 12 in. by 12 in., having a shell of not less than $\frac{5}{8}$ in. and a web not less than $\frac{1}{2}$ in. and complying with the requirements of the A.S.T.M. therefor for non-load bearing tile; that in all other respects the walls shall be constructed as required in the Building Code under Section 84.9.4. and that the mortar shall be approved Portland cement mortar; and *on condition* that the height of the panel section between spandrel beams shall not exceed the height proposed.

1404-39-A.

APPLICANT—Shreve, Lamb and Harmon, Wm. F. R. Ballard and Sylvan Bien, for New York City Housing Authority (U. S. Housing Project N. Y. 5-3), owner.

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SUBJECT—Appeal from decisions of the acting borough superintendent of buildings.

PREMISES AFFECTED — 14J to 22J Jackson street, northeast corner of Monroc street and south side of Madison street (Buildings 22 and 24); (Block No. 265, Lot Nos. 1 and 2), Borough of Manhattan.

APPEARANCES—

For Applicant: W. F. R. Ballard, Harry L. C. Gall, John Riley and Fred Severnd.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

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0

THE RESOLUTION—

(1404-39-A)

WHEREAS, Shreve, Lamb and Harmon, Wm. F. R. Ballard and Sylvan Bien, for N. Y. City Housing Authority, owner, filed on November 14, 1939, an appeal from decisions of the acting borough superintendent of buildings, affecting premises: 14J to 22J Jackson street, northeast corner of Monroe street and south side of Madison street (Block No. 265, Lot Nos. 1 and 2); (Bldgs. Nos. 22 and 24, Vladeck Houses) Borough of Manhattan; and

WHEREAS, the decisions of the acting borough superintendent, on N. B. Application Nos. 130 and 130-A-39, dated November 1, 1939, read:

"36. Enclosure walls of building should comply with Section 7.1.1.3 of the Building Code for Structural Clay Tile which requires one inch thick shells and also as per A.S.T.M., D.C. 34-34-T for medium tile."

and

WHEREAS, the proposed buildings will be six stories (51.7 ft.) in height, 178.42 ft. by 58.21 feet in area each; of Class 1 construction; located in residence and retail use districts and to be occupied throughout as Class A multiple dwellings; and

WHEREAS, the applicant contends that the exterior walls will be "panel walls", supported at each floor with a maximum height not to exceed 7 ft. 3 in. The back-up tile will be 8 in. thick protected with 4 in. brick facing on the outside; that all outside walls will be furred with free standing metal furring; that spandrel beams will be protected with spandrel flashing, except at first tier, as shown on detail of wall section filed with this appeal.

Resolved, that the decisions of the acting borough superintendent, on N. B. Applic. Nos. 130 and 130-A-39, be and they hereby are *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 36, so as to permit the use of approved step type two cell terra cotta block weighing not less than 30 lbs. for a block 8 in. by 12 in. by 12 in. to cell, having a shell of not less than $\frac{5}{8}$ in. and a web not less than $\frac{1}{2}$ in. and complying with the requirements of the A.S.T.M. therefor for non-load bearing tile; that in all other respects the walls shall be constructed as required in the Building Code under Section 8.4.9.4 and that the mortar shall be approved portland cement mortar; and *on condition* that the height of the panel section between spandrel beams shall not exceed the height proposed.

1405-39-A.

APPLICANT—Shreve, Lamb and Harmon, Wm. F. R. Ballard and Sylvan Bien, for New York City Housing Authority (U. S. Housing Project N. Y. 5-3), owner.

SUBJECT—Appeal from decisions of the acting borough superintendent of buildings.

PREMISES AFFECTED — 28J to 44J Jackson street, northeast corner of Cherry street and south side

of Monroe street (Buildings 21 and 23); (Block No. 263, Lot Nos. 40 and 45), Borough of Manhattan.

APPEARANCES—

For Applicant: W. F. R. Ballard, Harry L. C. Gall, John Riley and Fred Severnd.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

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0

THE RESOLUTION—

(1405-39-A)

WHEREAS, Shreve, Lamb and Harmon, Wm. F. R. Ballard and Sylvan Bien, for N. Y. City Housing Authority, owner, filed on November 14, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises: 28J to 42J Jackson street, northeast corner Cherry street and south side of Monroe street (Block No. 263, Lot Nos. 40 to 45); (Bldgs. Nos. 21 and 23, Vladeck Houses), Borough of Manhattan; and

WHEREAS, the decisions of the acting borough superintendent on N.B. Applic. Nos. 131 and 131A-39, dated November 1, 1939, read:

"36. Enclosure walls of building should comply with Section 7.1.1.3 of the Building Code for Structural Clay Tile which requires one inch thick shells and also as per A.S.T.M., D.C. 34-34-T for medium tile."

and

WHEREAS, the proposed buildings will be six stories (55.91 ft. and 55.61 ft.) in height, 178.42 ft. by 58.21 ft. in area each, of Class 1 construction; located in a residence use district; and to be occupied throughout as Class A multiple dwelling; and

WHEREAS, the applicant contends that the exterior walls will be "panel walls", supported at each floor with a maximum height not to exceed 7 ft. 3 in. The back-up tile will be 8 in. thick protected with 4 in. brick facing on the outside; that all outside walls will be furred with free standing metal furring; that spandrel beams will be protected with spandrel flashing, except at first tier, as shown on detail of wall section filed with this appeal.

Resolved, that the decisions of the acting borough superintendent, on N.B. Applic. Nos. 131 and 131A-39, be and they hereby are *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 36, so as to permit the use of approved step type two cell terra cotta block weighing not less than 30 lbs. for a block 8 in. by 12 in. by 12 in. to cell, having a shell of not less than $\frac{5}{8}$ in. and a web not less than $\frac{1}{2}$ in. and complying with the requirements of the A.S.T.M. therefor for non-load bearing tile; that in all other respects the walls shall be constructed as required in the Building Code under Section 8.4.9.4 and that the mortar shall be approved portland cement mortar; and *on condition* that the height of the panel section between spandrel beams shall not exceed the height proposed.

1197-22-A.

APPLICANT—Abbott, Merkt and Company, for Broadway and 33rd Street Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—47-02 31st place (south side of Nelson avenue, Mount and School streets and north side of Anable avenue); (Block No. 281, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: U. Abbott and Gilbert V. Steel.

ACTION OF BOARD—Appeal reopened and resolution amended.

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THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1197-22-A)

WHEREAS, William Higginson, for James Butler, Inc., owner, filed, October 7, 1922, an appeal, with the Board of Appeals, from a decision of the fire commissioner, affecting premises south side of Nelson avenue, Mount street, School street and north side of Anable avenue, Long Island City, Borough of Queens; and

WHEREAS, the decision of the fire commissioner reads:

"No. 21. Bake shop factory occupancy may not be permitted above a storage garage.";

and

WHEREAS, the building is fireproof, five stories in height, 200 ft. by 576 ft. in area. OCCUPIED: Basement, garage; 1st story, shipping and garage, 370 persons; 2nd story, warehouse; 3rd story, warehouse, bake shop and mfg., 110 persons; 4th story, warehouse; 5th story, warehouse, office, bake shop and manufacturing, 196 persons; the garage being separated from the main building by a fire wall 12 in. thick; and

WHEREAS, this appeal was denied by the board at the meeting held on December 5, 1922, and reopened by the vote of the board on May 27, 1924; and

WHEREAS, appellant proposes to install a 100 per cent sprinkler system throughout the building supplemented by a thermostatic fire alarm system; and

WHEREAS, this appeal was granted by the Board, June 10, 1924, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 10, 1924, so that as amended, it shall read:

"*Resolved*, that the decision of the fire commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that an approved two source sprinkler system with a 50,000 gallon gravity storage tank shall be installed throughout the entire premises; that the garage portion of the premises shall be segregated from the rest of the building; that no horizontal or vertical openings of any nature or description shall be permitted between the garage and the bakery and that any gasoline storage equipment shall be located in the basement at the extreme front of the building.

Resolved further, that in the event the owner desires to eliminate the bake shop factory occupancy and substitute another factory occupancy, the requirements of this resolution shall still hold, provided such new occupancy meets in all respects all laws, rules and regulations applicable thereto."

1049-38-A.

APPLICANT—Tobias Goldstone, for Great Atlantic Paper Company, Inc., lessee (Title Guarantee & Trust Company, owner).

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED — 591 Washington street, east side, 75 ft. north of Clarkson street and 610 Greenwich street (Block No. 601, Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Applicant: Tobias Goldstone.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1049-38-A)

WHEREAS, the Great Atlantic Paper Co., Inc., lessee, filed on November 21, 1938, an appeal from an order and decision of the fire commissioner, affecting premises 591 Washington street, east side, 75 ft. north of Clarkson street and 610 Greenwich street (Block No. 601, Lot No. 29), Borough of Manhattan; and

WHEREAS, Order No. 1785-LF issued by the fire commissioner August 2, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply arranged and equipped as per Art. 16, Chapter 26, Administrative Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner dated October 3, 1938 and a communication of the fire department dated October 27, 1938; and

WHEREAS, the building is 7 stories and cellar in height, 50 ft. by 150 ft. in area, of non-fireproof construction, located in an unrestricted use district and occupied: Cellar—storage of bales and bundles of paper—no persons; 1st floor—storage of paper in cases and bundles—3 persons; 2nd floor—storage of paper in cases and bundles and offices—6 persons; 3rd floor—machinery—4 persons; 4th to 7th floors, inc.—storage of paper in cases and bundles; no persons; and

WHEREAS, the applicant contends that its lease expires in about 12 months and that the existing conditions should be permitted to continue; and

WHEREAS, this appeal was granted by the board January 24, 1939, on certain conditions and applicant requested an amendment to the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of January 24, 1939, so that as amended the resolution will read:

"*Resolved*, that the order of the fire commissioner, No. 1785-LF, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying in all respects with the requirements of the building code therefore, except that all connections thereto shall be of malleable iron and that the siameses required to be installed on the street fronts may be of single type, not less than one on each street front; that the boiler room shall be enclosed in fireproof material with a fireproof, self-closing door; that at no time shall the paper stacked be more than 7 ft. in height; and, *granted* only so long as the conditions set forth shall continue and in no event longer than the term of the lease with the present tenant, the Great Atlantic Paper Co., Inc."

493-39-A.

APPLICANT—William Francullo, owner.

SUBJECT—Application for consideration—reopening and amendment—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—69-15 Grand avenue, north side, 84.73 ft. east of 69th street (Block No. 2500, Lot No. 60), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: William Francullo.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

MINUTES

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(493-39-A)

WHEREAS, Charles J. Stidolph, for William Francullo, owner, filed April 19, 1939, an appeal from a decision of the borough superintendent of buildings affecting premises 69-15 Grand avenue, north side, 84.73 ft. east of 69th street (Block No. 2500, Lot No. 60), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Alteration Application 68-39, dated March 21, 1939, reads:

"5. Stairway on 2nd floor not shown properly enclosed with fire retarded partitions."

and
WHEREAS, the building is three stories (35 ft.) in height, 20 ft. by 74 ft. in area, of non-fireproof construction, erected in 1925 and occupied: Cellar, storage; first floor, store; 2nd floor, beauty parlor and dwelling; 3rd floor, dwelling, one family; and

WHEREAS, the applicant contends that the stairs in question are 4 ft. wide; that the partitions surrounding stairs are plastered and in good condition; that the front portion of the second floor has been used for business since the time the building was erected and it would be a great hardship upon the owner to be compelled to comply with the order; and

WHEREAS, this appeal was granted by the Board, July 5, 1939, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted July 5, 1939, so that as amended, the resolution shall read:

"Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 68-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 5, on condition that the primary means of exit shall be of the construction as described and that in addition there shall be a second means of exit from the second story which may be by means of a rear window to the one story extension and thence by a *counterbalanced or drop ladder to grade to the public street*; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto and granted only so long as the building and occupancy continue."

683-39-A.

APPLICANT—Hilo Varnish Corporation (lessee), for Peele Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—42-60 Stewart avenue, southwest corner of Ingraham street (Block No. 3001, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: W. L. Schwalb.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(683-39-A)

WHEREAS, Hilo Varnish Company, lessee (Peele Company, owner), filed May 23, 1939, an appeal from an order

and a decision of the fire commissioner affecting premises 42-60 Stewart avenue, southwest corner of Ingraham street (Block No. 3001, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 78742-LC, dated March 8, 1939, reads:

"2. Discontinue the packing of inflammable mixture (paint remover) in the same building where materials of highly inflammable nature are manufactured or stored (paints, varnishes, etc.). C-19-59.0-C, Administrative Code.

3. Discontinue maintenance of any open flames (gas oven) within floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire resisting material. Rule C-1.8-a, Spray Rules."

and

WHEREAS, the above order is referred to in a decision of the fire commissioner dated May 19, 1939; and

WHEREAS, the building is three stories (75 ft.) in height, 200 ft. by 80 ft. in area, of fireproof construction, equipped with a standpipe and sprinkler system, located in an unrestricted use district, erected in 1931 and occupied: 1st floor, filling, packing and labelling of paints, 19 persons; 2nd floor, grinding, mixing and filling paint, 18 persons; 3rd floor, grinding, mixing and filling paints, 2 persons; and

WHEREAS, the applicant contends that there is stored on the premises the following quantities: varnish remover—250 gallons; rosin—2,000 drums; rosinoil, 20 drums; No. 30 solvent, 5 drums; silor oil, 5 drums; fossil gum, 2,000 bags; turpentine, 10 drums; kerosene, 10 drums; No. 300 oil, 1 drum; pitch, 20 drums; gilsonite, 80 bags; approximately 10,000 gallons of finished goods consisting of enamels, paints, varnishes, etc., in cans, and 120 drums of similar products; that the only spraying or painting carried on is small amounts of material poured on tin and baked in a Gehrich oven 12 feet from spray booth, for the purpose of making samples to be submitted to customers; that not more than 1/2 pint of material is used per day for experimental purposes only; that Item 2 of the order refers to materials stored, containing wax; that it is necessary to store this material inside the building, as the storage of same in a cold area outside the building would cause the wax to drop out of solution; and

WHEREAS, this appeal was granted by the Board July 18, 1939, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 18, 1939, so that as amended, the resolution will read:

"Granted on condition that the sprinkler system and standpipe system shall be maintained to the satisfaction of the fire commissioner and that the handling and packing of the inflammable mixture shall be carried on to the satisfaction of the fire commissioner: that as to Item No. 3, the open flames shall be limited to the gas flames in a Gehrich oven and a gas oven of similar construction, both of which shall be ventilated through the roof by means of approved flues; that in all other respects the occupancy of the building shall meet the requirements of all laws, rules and regulations applicable thereto."

VARIATION OF LABOR LAW

1399-39-S.

APPLICANT—Roger Garland, for Eggleston Bros. and Co., Inc., owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—31-07 Borden avenue and East side of 31st (Mount) street, 337 ft. north of Borden avenue (Block No. 289, Lot Nos. 1 and 16), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Roger Garland.

For Administration: Joseph Ferro, department of housing and buildings.

MINUTES

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1399-39-S)

WHEREAS, Roger Garland for Egleston Bros. and Co., Inc., owner, filed November 15, 1939, an application with the Board of Standards and Appeals, for a variation from the requirements of the Labor Law as cited in a decision of the Borough Superintendent of Buildings, affecting premises: 31-07 Borden avenue and east side of 31st (Mount) street, 337 ft. north of Borden avenue (Block No. 289, Lot Nos. 1 and 16), Long Island City, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent of Buildings rendered November 1, 1939, in acting on Alt. Applic. No. 2589-39, reads:

"2. Two separate fireproof exits must be provided for 2nd story, to conform to Section 270 of Labor Law."

and

WHEREAS, it is proposed to alter and extend an existing two story building, the means of egress from the second story of which consists of an interior stairway conforming to the requirements of the Labor Law; and

WHEREAS, applicant contends that the 2nd story is occupied for offices only, and that there is an exit over an open roof at the rear.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Applic. No. 2589-39, Objection No. 2, and that the application be and it hereby is granted on condition that the primary means of exit from the proposed second story addition shall comply with all requirements of the Labor Law therefor and, permitting a second means of exit as shown, by means of escape across the fireproof roof to a fire escape with counterbalanced ladder leading direct to 31st place, and that the requirements of the Building Code as to area shall be complied with as modified under Calendar Number 1365-39-A.

MATERIALS SUBMITTED FOR APPROVAL

815-39-SM.

APPLICANT—Newark Plaster Company, owner.
SUBJECT—Kelley Cork-Gypsum Sheathing, approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1039-39-SM.

APPLICANT—Max Landau & Company, owner.
SUBJECT—French Portland Cement, approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

816-39-SM.

APPLICANT—Newark Plaster Company, owner.
SUBJECT—Kelley Cork-Gypsum Wallboard—approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(816-39-SM)

WHEREAS, Newark Plaster Company, owner, filed June 19, 1939, an application with the Board of Standards and Appeals for approval of the material known as Kelley Cork-Gypsum Board; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Subject: Kelley Cork-Gypsum Wallboard.

Re Cal. No. 816-39-SM

November 15, 1939

Newark Plaster Company of Delawanna, New Jersey, filed a request on June 19, 1939 with the Board of Standards and Appeals for the approval of their material known as Kelley Cork-Gypsum Wallboard for uses as hereinafter provided under specific provisions of the Administrative Building Code as listed.

Kelley Cork-Gypsum Wallboard consists of sheets of slabs composed of calcined gypsum with a cork filler screened through 8-30 mesh, reinforced on both surfaces with a covering of chip board paper designed to receive the final finish. This material is designed for use without plaster so as to furnish interior walls or ceilings with a surface which may be further decorated.

Kelley Cork-Gypsum Wallboard is made in a continuous process, during which the wet plaster is shaped to the desired width and thickness while moving on a carrier, and after setting or hardening is cut to the desired lengths after which they are dried to remove the excess water. The calcined gypsum used in the interior of this board is machine mixed with cork added, the mixture being discharged to the paper liner on the board machine. It is then leveled by an oscillating arm to the proper thickness, and then coated with a layer of paper and edged as required.

After passing through a roll, which permits the board to be manufactured in the desired thickness, the board is then passed through a dryer where it is thoroughly dried and made ready for shipment.

This board is available in sizes as follows:

Thickness	Width	Length
1/4"	32" and 48"	4', 5', 6', 7', 8', 9', 10', 11', 12'
3/8" and 1/2"	32" and 48"	4', 5', 6', 7', 8', 9', 10', 11', 12'
		Edges are square or recessed.
1/2"	36" and 48"	8', 9', 10'
		Edges are tongue and groove.

All of the above sizes are available with aluminum foil backing.

All of the above 48" widths are available with grain-board facing of Knotty Pine, Walnut and Mahogany.

TESTS

Tests on Kelley Cork-Gypsum Wallboard on samples selected by a representative of the Board were made at Columbia University (Report No. 2487) in accordance with the test methods as described in Federal Specification SS-W-51A for Gypsum Wallboard, with results as follows:

MINUTES

		Maximum Load, Lbs.			
		Knife Edges Across Fiber of surfacing		Knife Edges Parallel to fiber of surfacing	
		Federal Spec. Requirement	Test Results	Federal Spec. Requirement	Test Results
Kelley Cork- Gypsum			141		44
Wallboard— $\frac{1}{2}$ "					
$\frac{1}{2}$ " x 32" &	105	145		45	47
36" & 48" x					
4' to 12'		145			47
Average	105	143.7		45	46
Kelley Cork- Gypsum			100		40
Wallboard— $\frac{3}{8}$ "					
$\frac{3}{8}$ " x 32" &	80	102		34	42
48" x 4' to 12'		104			42
Average	80	102		34	41.3
Kelley Cork- Gypsum			58		25
Wallboard— $\frac{1}{4}$ "					
$\frac{1}{4}$ " x 32" &	50	60		24	27
48" x 4' to 12'		60			26
	50	59.3		24	26

The method of covering the joints used with Kelley Cork-Gypsum Wallboard may be the Kelley Reinforced Tape Joint System, which consists of placing the tape 2" wide over the recesses in the board by means of a cement made of gypsum, casein glue and other extenders; or Kelley Joint Filler, a quick setting gypsum base material with the usual characteristics of plaster.

On the basis of the foregoing data, the Committee recommends the approval of Kelley Cork-Gypsum Wallboard as manufactured and of the specifications contained herein specifically as follows:

$\frac{1}{4}$ ", $\frac{3}{8}$ " and $\frac{1}{2}$ " Kelley Cork-Gypsum Wallboard

Approval of this material is recommended under C-26-191.0 (2.2.3) and C-26-241.0 (3.2.3) and C-26-242.0 (3.2.4) of the Administrative Building Code, as an interior wallboard for use on partitions and ceilings not required to have fire resistance rating when applied in accordance with the manufacturer's specification as given in manufacturer's Bulletin A.I.A. File No. 19-F.

Additional recommended uses for $\frac{3}{8}$ " and $\frac{1}{2}$ " Kelley Cork-Gypsum Wallboard:

The Committee recommends the approval of $\frac{3}{8}$ " and $\frac{1}{2}$ " Kelley Cork-Gypsum Wallboard when manufactured in accordance with the specifications contained herein and when applied in accordance with the manufacturer's Bulletin A.I.A. File No. 19-F, for use as a subdividing partition in Class One buildings 150 feet or less in height, and Class Two buildings to subdivide rooms or spaces 5,000 square feet or less in area, under C-26-667.0, subdivision 5 (10.9.2.5).

Kelley Cork-Gypsum Wallboard $\frac{1}{2}$ " in thickness is recommended for approval as a one hour fireproof partition when installed in accordance with the requirements of C-26-636.0, subdivision 11 A.B. (10.4.3.1) of the Administrative Building Code.

The Committee further recommends that the sheets or bundles, whichever way these materials are shipped, shall be stencilled, labeled or marked reading as follows: "Approved by the Board of Standards and

Appeals for use in New York City under Calendar No. 816-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Kelley Cork-Gypsum Board, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

860-39-SM.

APPLICANT—Edison Cement Corporation, owner.

SUBJECT—Edison Portland Cement—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(860-39-SM)

WHEREAS, the Edison Cement Corporation, owner, filed June 27, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Edison Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. 860-39-SM.

Approval of—Edison Portland Cement.

On June 27, 1939, Edison Cement Corporation, owner, filed an application for approval of Edison Portland Cement, as manufactured by the applicant at New Village, N. J., for use in New York City pursuant to section C26-312.0 e-1 of the Administrative Code (7.1.1.7.3 BC).

This material was tested by a representative of the committee on tests at the applicant's laboratory at New Village, N. J., with the following results:

	As Tested	Federal Spec. SS-C-191-A	ASTM Spec.
Surface Area	1823	1500	
Soundness	OK	Sound	
Initial Set	3 hr. 30 min.	Not less than 60 min.	Not less than 45 min.
Final Set	5 hr. 35 min.	Not more than 10 hrs.	Not more than 10 hrs.
Expansion			
Autoclave	.277%	....	....
Compressive Strength			
(Average of 6 specimens lbs. per sq. inch)			
Age 3 days	1504	900	....
7 days	2262	1800	....
28 days	3385	3000	....
TENSILE STRENGTH			
(Average of 6 specimens lbs. per sq. inch)			
Age 3 days	278	175	....
7 days	332	275	275
28 days	375	350	350

MINUTES

CHEMICAL ANALYSIS

	<i>As Analyzed</i>	<i>Not more than</i>	<i>Not more than</i>
SiO ₂	20.28	....	....
FeO ₂	3.33	6.00	....
Al ₂ O ₂	6.25	7.50	....
CaO	63.48	....	....
MgO	3.21	5.00	5.00
SO ₃	1.92	2.00	2.00
Loss	1.20	3.00	4.00
Insol.	.38%	0.75	0.85

Consistently homogeneous raw materials are available for 50 years at the present rate of manufacture. Flow sheets describing the manufacturing processes have been filed.

All tests were conducted in accordance with Federal Specification SS-C-191-A pursuant to methods prescribed in Federal Specification SS-C-158.

This material is shipped in cloth and paper bags and in bulk.

It is accordingly recommended that Edison Portland Cement, as manufactured by Edison Cement Corporation at New Village, N. J. be approved for use in New York City pursuant to section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC), on condition that certified monthly mill test reports signed by the applicant's Chief Chemist be filed with the Board and that all bags be stamped, labeled or marked, "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 860-39-SM" and that when shipped in bulk its bill of lading be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Edison Portland Cement, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

862-39-SM.

APPLICANT—Edison Cement Corporation, owner.

SUBJECT—Edison High Early Strength Portland Cement, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

THE RESOLUTION—

(862-39-SM)

WHEREAS, Edison Cement Corporation, owner, filed June 27, 1939, an application with the Board of Standards and Appeals for approval of the material known as Edison High Early Strength Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. 862-39-SM

Approval of—Edison High Early
Strength Portland Cement

On June 27, 1939, Edison Cement Corporation, owner, filed an application for approval of Edison High Early Strength Portland Cement, as manufactured by the applicant at New Village, N. J. for use in New York City pursuant to Section C26-312.0 c-1 of the Administrative Code (7.1.1.7.3 BC).

This material was tested by a representative of the committee on tests at the applicant's laboratory at New Village, N. J. with the following results:

	<i>As Tested</i>	<i>Federal Spec. SS-C-201</i>	<i>ASTM Spec.</i>
Surface Area	3057	1900	
Soundness	OK	Sound	
Initial Set	1 hr. 40 min.	Not less than 60 min.	Not less than 45 min.
Final Set	2 hr. 40 min.	Not more than 10 hrs.	Not more than 10 hrs.
Expansion			
Autoclave	.129%	....	....
Compressive Strength			
(Average of 6 specimens lbs. per sq. inch)			
Age 1 day	2167	1250	....
3 days	3513	2500	....
7 days	4096	3500	....
28 days	5184	....	....
TENSILE STRENGTH			
(Average of 6 specimens lbs. per sq. inch)			
Age 1 day	354	275	....
3 days	376	375	....
7 days	438	425	275
28 days	484	....	350

CHEMICAL ANALYSIS

	<i>As Analyzed</i>	<i>Not more than</i>	<i>Not more than</i>
SiO ₂	19.40	....	....
FeO ₂	3.29	6.00	....
Al ₂ O ₂	6.39	7.50	....
CaO	62.59	....	....
MgO	3.11	5.00	5.00
SO ₃	2.45	2.50	2.50
Loss	2.18	3.00	4.00
Insol.	.44	0.75	0.85

Consistently homogeneous raw materials are available for 50 years at the present rate of manufacture. Flow sheets describing the manufacturing processes have been filed.

All tests were conducted in accordance with Federal Specification SS-C-201 pursuant to methods prescribed in Federal Specification SS-C-158.

This material is shipped in cloth and paper bags and in bulk.

It is accordingly recommended that Edison Portland Cement, as manufactured by Edison Cement Corporation at New Village, N. J., be approved for use in New York City pursuant to section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC), on condition that certified monthly mill test reports signed by the applicant's Chief Chemist be filed with the Board and that all bags be stamped, labeled or marked, "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 862-39-SM" and that when shipped in bulk its bill of lading be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Edison High Early Strength Portland Cement, *on condition* that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

863-39-SM.

APPLICANT—Edison Cement Corporation, owner.
SUBJECT—Edison Dark Portland Cement, approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(863-39-SM)

WHEREAS, Edison Cement Corporation, owner, filed June 27, 1939, an application with the Board of Standards and Appeals for approval of the material known as Edison Dark Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

Cal. 863-39-SM

Approval of—Edison Dark Portland Cement

On June 27, 1939 Edison Cement Corporation, owner, filed an application for approval of Edison Dark Portland Cement, as manufactured by the applicant at New Village, N. J. for use in New York City pursuant to Section C26-312.0 c-1 of the Administrative Code (7.1.1.7.3 BC).

This material was tested by a representative of the committee on tests at the applicant's laboratory at New Village, N. J. with the following results:

	<i>As Tested</i>	<i>Federal Spec. SS-C-191-A</i>	<i>ASTM Spec.</i>
Surface Area	1868	1500	
Soundness	OK	Sound	
Initial Set	3 hr. 25 min.	Not less than 60 min.	Not less than 45 min.
Final Set	5 hr. 25 min.	Not more than 10 hrs.	Not more than 10 hrs.
Expansion			
Autoclave	.263%	....	....
Compressive Strength			
(Average of 6 specimens lbs. per sq. inch)			
Age 3 days	1321	900	....
7 days	2060	1800	....
28 days	3527	3000	....

TENSILE STRENGTH

(Average of 6 specimens

lbs. per sq. inch)

Age 3 days	273	175	....
7 days	326	275	275
28 days	388	350	350

CHEMICAL ANALYSIS

As Analyzed Not more than Not more than

SiO ₂	20.60	....	....
FeO ₂	3.25	6.00	....
Al ₂ O ₂	6.15	7.50	....
CaO	63.24	....	....
MgO	3.22	5.00	5.00
SO ₃	1.85	2.00	2.00
Loss	1.40	3.00	4.00
Insol.	.50%	0.75	0.85

Consistently homogeneous raw materials are available for 50 years at the present rate of manufacture. Flow sheets describing the manufacturing processes have been filed.

All tests were conducted in accordance with Federal Specification SS-C-191-A pursuant to methods prescribed in Federal Specification SS-C-158.

This material is shipped in cloth and paper bags and in bulk.

It is accordingly recommended that Edison Dark Portland Cement, as manufactured by Edison Cement Corporation at New Village, N. J. be approved for use in New York City pursuant to section C26-312.0 c.1 of the Administrative Code (7.1.1.7.3 BC), on condition that certified monthly mill test reports signed by the applicant's Chief Chemist be filed with the Board and that all bags be stamped, labeled or marked, "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 863-39-SM" and that when shipped in bulk its bill of lading be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Edison Dark Portland Cement, *on condition* that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

Adjourned, 4:45 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

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OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- [a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- [b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

2.2 **APPROVED**: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

2.3 **AUTOMATIC PUMP**: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

2.4 **BURNER**: A device designed for the purpose of burning oil.

2.5 **COMMERCIAL INSTALLATIONS**—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.

2.6 **CONTROLS**—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.

2.7 **DISCHARGE LINE**: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

2.8 **DOMESTIC INSTALLATIONS**—Oil burner installations installed in dwellings as defined in these rules.

2.9 **DWELLINGS**: Buildings used exclusively for

dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

2.10 **ELECTRICALLY GROUNDED**: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:

2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (1/2") in diameter.

2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

2.11 **FILL PIPE**: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

2.12 **FIRE RETARDING MATERIALS**:

2.12.1 One-half (1/2) inch plaster boards, or asbestos boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

2.12.2 Two thicknesses of one-quarter (1/4) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (3/4) inch thick.

2.12.4 **Note**—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

2.13 **GROUND**: An electrical conductor having capacity to absorb current.

2.14 **INDUSTRIAL INSTALLATIONS**: Oil burner installations for industrial purposes.

2.15 **OIL**: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code.

2.16 **OIL BURNING EQUIPMENT**: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

2.17 **OIL LEVEL INDICATING DEVICE**: A means by which the level of the oil in a storage tank may be indicated.

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- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.
- 2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 PERMIT: Shall mean permit for storage of oil.
- 2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administration Building Code.
- 2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.
- 2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.
- 2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.
- 2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- [a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (Ameri-

can Society for Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A. P. I.)	40-44°
No. 1 Fuel Oil	"	"	"	36-40°
No. 2	"	"	"	32-36°
No. 3	"	"	"	28-32°
No. 4	"	"	"	24°+
No. 5	"	"	"	18°+
No. 6	"	"	"	10°+

- [b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

- [a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.
- [b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- [c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

- [a] 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- [b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.
- [c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:
- Tanks 36 in. in diameter and less—¼ in shell, ⅛ in. heads.
- Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.
- Tanks 73 to 120 in. in diameter—5/16 in. shell, 3/8 in. heads.
- Tanks over 120 in. in diameter to be of 3/8 in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

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[d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred

and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch. The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted water-tight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formula for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

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5.5 Storage Containers.

- [a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

- [a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7'), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.
- [b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.
- Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25') along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10') along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.
- [c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

- [d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

- [a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.
- [b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20') feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.
- [c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.
- [d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

- [a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:
- | | |
|--|----------------|
| If distant 25 feet from line of adjoining property which may be built upon | 16,000 gallons |
| If distant 30 feet..... | 24,000 " |
| If distant 40 feet..... | 36,000 " |
| If distant 50 feet..... | 48,000 " |
| If distant 60 feet..... | 60,000 " |
| If distant 75 feet..... | 96,000 " |
| If distant 85 feet, or more | 100,000 " |
- [b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at

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least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C19-50.0 of the Administrative Code.

- [c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

- [a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.
- [b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.
- [c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

- [a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.
- [b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.
- [c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

- [a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.
- [b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.
- [c] 7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for stor-

age tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

- [d] 7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

- [a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- [b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.
- [c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- [d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

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7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- [a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.
- [b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.
- [c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:
- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.
- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.
- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.
- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:
- | | |
|---------------------|---|
| Temperature control | |
| Ignition | " |
| Stack or | |
| Combustion | " |
| Pressure | " |
| Gravity | " |
- [d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such control may be located immediately inside the

room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- [e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.
- [f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- [a] 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- [b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- [c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

- [a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.
- [b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- [c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

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side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Borough Superintendent of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in C19-24.0 of the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Article 11 of the Administrative Building Code.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: Compare with provisions of the Administrative Building Code, C26-693.0 (11.1.4.4 paragraph 3).

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent.

RULES

lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

- [g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- [a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- [b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operat-

ing, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of C26-213.0 of the Administrative Building Code, shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

<i>Name of Pump</i>	<i>Calendar No.</i>	<i>Name of Pump</i>	<i>Calendar No.</i>
American Marsh Duplex	638-25-SA	Milwaukee Piston Rotating Port Pump.....	763-25-SA
American Marsh Simplex.....	639-25-SA	Monroe Oil Pump	658-26-SA
Autopulse Electric Fuel Oil Pump.....	215-31-SA	National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA	Northern Rotary	1396-24-SA
Ballard Duplex Electric Driven Pump Set..	1413-22-SA	Pascoe Pump Set	1029-26-SA
Beach Russ Co. Rotary	1134-22-SA	Petro-Nokol Industrial Oil Pump.....	570-32-SA
Blackmer Rotary	935-24-SA	Quiet May Gerotor Pump	267-32-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA	Quimby Screw Pump	1193-21-SA
Century Rotary	908-21-SA	Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Cook Electric Oil Pump.....	603-25-SA	Ray Rotary	588-25-SA
Davidson	590-21-SA	Rotary Pressure Pump	1060-25-SA
Dean Bros. Durable Duplex.....	840-22-SA	Rotary Vacuum Pump	513-25-SA
DeLaval IMO Oil Pump.....	628-32-SA	Samson Magnetic Fuel Oil Pump.....	163-34-SA
Deming Double Oscillating Force Pump.....	458-27-SA	S. B. U. Pumps, Models A, B, C and D.....	410-32-SA
Deming Fuel Oil Pump.....	298-31-SA	Sundstrand Fuel Unit (Pump), Models 7-OB, 77-OB, 90B-1, 90B-2, S-1 and S-2.....	199-36-SA
Enterprise Oil Pump	11-28-SA	Tate-Jones	492-21-SA
Exeter Rotary	507-22-SA	Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
General Electric Oil Pump.....	475-32-SA	Teesdale Oil Pump, Types S, 2S and 4S.....	281-38-SA
Goulds Hand Rotary	1133-25-SA	Tuthill Model B Fuel Oil Pump.....	60-28-SA
Goulds Rotary Oil Pump.....	437-31-SA	Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Goulds Triplex Plunger	257-22-SA	Union Steam Pump for Fuel Oil.....	705-30-SA
Hardinge Fuel Oil Pump.....	813-25-SA	Viking	438-21-SA
Kinney Rotating Plunger Pump.....	503-24-SA	Warren Oil Pump	1169-23-SA
Koerting Gear Pump.....	1264-25-SA	Wayne Oil Pump & Fan Set.....	1155-25-SA
Kraissl Fuel Oil Pump.....	60-28-SA	Webster Fuel Oil Pump, Types A, Q and T..	23-34-SA
Leiman Rotary	95-24-SA	Worthington Duplex Double-Acting Steam Pump	184-22-SA
Marsh Fuel Oil Pump.....	1050-23-SA	Worthington Show Model Duplex.....	194-22-SA
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA	Yale and Towne Tri-Rotor Pump.....	191-39-SA
M. D. Rotary	52-27-SA		

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to November 28, 1939

Cal. No. Department Premises Affected
1435-39-SA.....Par Electric Automobile Lift,
Appliance.

1436-39-A.....F.D.....236 South street, west side, 103.8
ft. south of Pike slip and 461
Water street (Block No. 249,
Lot Nos. 17-28), Borough of
Manhattan,
19384-L.C.

1437-39-BZ.....H.B.Q.....179-27 Jamaica avenue, north-
east corner of 179th place
(Block No. 9896, Lot No. 1),
Jamaica, Borough of Queens,
N.B. 8753-39.

1438-39-S.....H.B.M.....18-20 East 50th street, south
side, 70 ft. west of Madison
avenue (Block No. 1285, Lot
No. 59), Borough of Man-
hattan,
Alt. 2784-39.

1439-39-SM.....Imperial Vacuum Breaker, Cata-
logue No. M-1139, manufac-
tured by The Imperial Brass
Manufacturing Company,
Material.

1440-39-A.....H.B.M.....1806-1808 Third avenue, west
side, 50 ft. 11 in. north of
East 100th street (Block No.
1628, Lot Nos. 35 and 36),
Borough of Manhattan,
P. & D. Applic. 2211-39.

1441-39-SM.....Exit Safety Device Corporation
Safety Type Drop Ladder
for Fire Escapes, manufac-
tured by Exit Safety Device
Corporation,
Material.

1442-39-A.....H.B.M.....412 West 14th street, south side,
175 ft. west of Ninth avenue
and 411 West 13th street
(Block No. 646, Lot No. 35),
Borough of Manhattan,
Alt. 3548-39.

1443-39-SM.....P & P Cement Block Company
Solid Masonry Concrete
Units and P & P Cement
Block Company Hollow Mas-
onry Concrete Units, manu-
factured by P & P Cement
Block Company,
Material.

1444-39-A.....H.B.Q.....137-23 Bedell street, north side,
216 ft. east of Farmers bou-
levard (Block No. 3664, Lot
No. 34), Springfield Gardens,
Borough of Queens,
N.B. 9424-39.

1445-39-A.....H.B.Q.....47-46 11th street and 10-53 48th
avenue, northwest corner
(Block No. 45, Lot No. 22),

Long Island City, Borough of
Queens,
Misc. Applic. 7286-39.

1446-39-BZ.....H.B.Q.....34-59 to 34-71 Francis Lewis
boulevard and 34-56 to 34-70
Jordan street, northeast cor-
ner (Block No. 6077, Lot No.
43), Bayside, Borough of
Queens,
N.B. 8532-39.

1447-39-BZ.....H.B.Q.....79-51 Cooper avenue, north side,
191.33 ft. west of 69th road
(Block No. 9549, Lot No.
20), Glendale, Borough of
Queens,
N.B. 9172-39.

1448-39-BZ.....H.B.Bx.....927-935 Elder avenue, west side,
230.25 ft. to 308.25 ft. north
of Story avenue (Block No.
3651, Lot No. 1), Borough of
The Bronx,
N.B. 686-39 to N.B. 690-39,
inclusive.

Restored to Calendar

1052-39-A.....H.B.Q.....Northwest corner of Beach
105th street and Parkway
(Ocean Boardwalk); (Block
No. 645, Lot No. 18), Rock-
away Beach, Borough of
Queens,
Misc. Applic. 5276-39.

553-29-BZ.....H.B.B.....1408-1430 Linden boulevard,
southwest corner of Rock-
away avenue (Block No.
3643, Lot Nos. 23 and 33),
Borough of Brooklyn,
Alt. 4632-39.

1088-39-A.....F.D.....306 West 102nd street, south
side, 125 ft. west of West
End avenue (Block No. 1889,
Lot No. 64), Borough of
Manhattan,
5366-L.F.

351-35-BZ.....H.B.Q.....35-40 Junction boulevard, west
side, 100.8 ft. north of 37th
avenue (Block No. 1469, Lot
Nos. 1 and 26), Corona, Bor-
ough of Queens,
Decision re
Certificate of Occupancy.

39-34-BZ.....H.B.Q.....Northwest corner of Pembroke
avenue and Westmoreland
street (Block No. 4118, Lot
No. 221), Little Neck, Bor-
ough of Queens,
Misc. Applic. 7706-39.

736-38-BZ.....H.B.M.....25-53 West 48th street, north
side, 237 ft. 7½ in. east of
Sixth avenue and 26-52 West
49th street (Block No. 1264,
Lot No. 10), Borough of
Manhattan,
N.B. 15-38.

811-39-SM.....Evenaire Insulating Wallboard
Lath, manufactured by Tree-
tex Corporation,
Material.

CALENDAR

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS

On December 2, 1939, Messrs. Samuels and Samuels, attorneys, served on Board, in behalf of John A. Alexander, lessee, order of certiorari to review Board's decision of September 19, 1939, under Cal. No. 55-39-A, re application to reopen and restore to calendar appeal from decision of Borough Superintendent of Buildings, previously withdrawn; premises: 402-414 East 105th street, Borough of Manhattan.

COURT DECISION

Nathaniel H. Lyons vs. Harry M. Prince, as Deputy Commissioner of the Department of Housing and Buildings—On appeal by the petitioners from an order of the Supreme Court, New York County, denying motion for an order directing defendants to vacate certain orders for fire-retarding stairways and ceilings and putting in stairway and bulkhead to roof of petitioners' premises, No. 25 Bowery, Borough of Manhattan,—the Appellate Division held that by section 4, subdivision 5, of the Multiple Dwelling Law enacted in 1929, a lodging house became subject to its provisions as a "Class B" multiple dwelling; and held further that Section 309 of the Multiple Dwelling Law does not authorize any public official in his discretion to prescribe structural changes. The appeal was from such portion of the order of the Supreme Court as required structural changes, as distinguished from repairs. (April, 1939.)

On appeal to the Court of Appeals, the decision of the Appellate Division was upheld in a majority opinion written by Mr. Justice Lehman (N.Y.L.J., November 29, 1939). Among other findings, he states:

"That section (Section 309 of the Multiple Dwelling Law) should not, I think, be construed as intended to give the Commissioner power to order structural alterations except where the statute has imposed upon owners or occupants of multiple dwellings a standard or requirement which necessitates such alterations. It seems to me entirely unreasonable to construe that section as intended to give to the Commissioner power to decide what structural alterations, not required by the Legislature, would render safe, for use as multiple dwellings, buildings which, in the opinion of the Commissioner, are not safe."

In dissenting opinion, Mr. Justice Crane stated that:

"... this case should go back to Special Term for a hearing upon the merits and a determination as to the arbitrary nature of the orders," holding that

"The crux of this case lies in the wording of Section 309. ... We have noted that in Section 78 when repair was referred to, the word 'repair' alone was used. We have something more in Section 309. We have the word 'demolition' in the title, and the words 'removed,' 'altered,' 'improved,' in the text. In view of the purpose of the Legislature to make lodging houses safe, protect them from fire, and afford proper ventilation, we must give meaning to all these words in the section. We thus find that the Commissioner or his Deputy had the right to issue the orders here in question; that is, he had the right to do so. Whether such orders were reasonable or arbitrary is not presented on this appeal."

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DECEMBER 5, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 5, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 624-39-BZ—Application, May 15, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Charlotte Smith, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

CAL. NO. 310-39-BZ—Application, March 13, 1939, under sections 7h and 21 of the building zone resolution, of Alexander Ketterson, applicant, on behalf of Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

CAL. NO. 657-39-BZ—Application, May 19, 1939, under sections 7c and 21 of the building zone resolution, of Frank Verdi, applicant, on behalf of Henry A. Thelluson, Receiver (George and F. J. Verdi, lessees), to permit in a residence use district and, also, on a street between two (2) intersecting streets in which portion there exists an exit and an entrance

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to a public school, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles; premises 353-355 West 48th street, north side, 204 ft. east of Ninth avenue (Block No. 1039, Lot No. 9), Borough of Manhattan.

CAL. NO. 1054-39-BZ—Application, August 18, 1939, under section 7a of the building zone resolution, of Richard Shutkind, applicant, on behalf of 318 West 47th Street Corporation, owner, to permit in a residence use district, the extension of an existing business use; premises 318 West 47th street, south side, 275 ft. west of Eighth avenue (Block No. 1037, Lot No. 44), Borough of Manhattan.

CAL. NO. 868-39-BZ—Application, June 27, 1939, under section 21 of the building zone resolution, of Cafiero and Lacerenza, applicants, on behalf of Irving Palmer, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 3826-3830 Kings Highway and 1241-1245 Ryder street, southeast corner (Block No. 7817, Lot No. 34), Borough of Brooklyn.

CAL. NO. 326-36-BZ—Application of Interborough Engineering Company, applicant, on behalf of Giuseppe Montemorano, owner, reopened June 27, 1939 under new facts, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied); premises 961-965 Fourth avenue and 402-412 37th street, southeast corner (Block No. 701, Lot No. 8), Borough of Brooklyn.

CAL. NO. 597-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Inc., owner, to permit in a business use district, the alteration and extension of an existing gasoline service station; premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block No. 9751, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 724-39-BZ—Application, May 31, 1939, under section 7c of the building zone resolution, of Joseph P. Powers, applicant, on behalf of Buona Terra Corporation, owner, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores); premises 148-42 Hillside avenue, south side, 224.5 ft. west of 150th street (Block No. 9694, Lot No. 23), Jamaica, Borough of Queens.

CAL. NO. 929-39-BZ—Application, July 11, 1939, under sections 7a and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Oliver S. Chatfield, owner, to permit in a business use

district, the alteration of an existing garage and gasoline service station and the increase in area of the gasoline station by the relocation of the front wall of the garage; premises 97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

CAL. NO. 295-39-BZ—Application, March 8, 1939, under sections 7b, 7c and 21 of the building zone resolution, of Louis Danancher, applicant, on behalf of Morris Manes, owner, to permit partly in a business use district and partly in a residence use district, the maintenance of an extension to a business building; premises 113-19 Jamaica avenue, north side, 25 ft. west of 114th street (Block No. 4227, Lot No. 77), Richmond Hill, Borough of Queens.

CAL. NO. 1025-39-BZ—Application, August 7, 1939, under section 21 of the building zone resolution, of Frank J. Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

CAL. NO. 836-39-BZ—Application, June 21, 1939, under section 21 of the building zone resolution, of Isidore Wolsk, applicant, on behalf of Gotham Equities Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1793-1799 Eastern parkway, north side, 68.4 ft. west of Dean street and 2348-2354 Dean street (Block No. 1449, Lot Nos. 19 and 21), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 5, 1939, 2 P. M.

Appeals from Administrative Decisions

1306-39-A—623 Beach 19th street, west side, 347 ft. south of Cornaga avenue and 702 Beach 20th street (Block No. 84, Lot No. 1 and Block No. 85, Lot No. 34), Far Rockaway, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1355-39-A—485 Madison avenue and 28-36 East 52nd street, southeast corner (Block No. 1287, Lot No. 52), Borough of Manhattan.

1451-39-A—148-150 West 53rd street, south side, 191.75 ft. east of Seventh avenue (Block No. 1005, part of Lot No. 53), Borough of Manhattan.

1342-39-A—30-80 Steinway street, west side, 182.66 ft. north of Jamaica avenue (Block No. 660, Lot No. 82), Astoria, Borough of Queens.

1466-39-A—19-80 Steinway street, northwest corner of 20th avenue (Block No. 811, part of Lot No. 1), Long Island City, Borough of Queens.

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1288-39-A—Pequot road and 88th street, 851.49 ft. west of west side of 88th street and 617.42 ft. south of Cooper avenue (Block No. 3810, Lot No. 275), Glendale, Borough of Queens (Under Section 36, General City Law).

1368-39-A-WF—112-36 to 112-44 Roosevelt avenue, south side, 100 ft. west of 114th street (Block No. 2013, Lot Nos. 32 to 35, inclusive), Corona, Borough of Queens.

DECEMBER 12, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 12, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue and 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 244-39-BZ—Application of John J. Beatty, applicant, on behalf of Harlem Savings Bank, owner, reopened under new facts October 24, 1939, under section 21 of the building zone resolution, to permit in a restricted retail use district, the alteration and conversion of occupancy of part of an existing building to a motion picture theatre (previously denied); premises 163-165 West 57th street, north side, 104 ft. 2 in. east of Seventh avenue (Block No. 1010, Lot No. 5), Borough of Manhattan.

CAL. NO. 562-39-BZ—Application, May 3, 1939, under section 7h of the building zone resolution, of Tendwell Service Station Corporation, applicant and lessee, on behalf of New York State Realty and Terminal Co., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 5-15 West 125th street, north side, 110 ft. west of Fifth avenue and 6-14 West 126th street (Block No. 1723, Lot No. 31), Borough of Manhattan.

CAL. NO. 691-39-BZ—Application, May 23, 1939, under section 7a of the building zone resolution, of Thomas M. Bell, applicant, on behalf of Gainsborough Studios, Inc., owner, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the

street; premises 222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

CAL. NO. 459-39-BZ—Application, April 12, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicant, on behalf of Leon K. Rockmore, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn.

CAL. NO. 951-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Emil Koeppel, applicant, on behalf of Madeline Hecht, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn.

CAL. NO. 1022-39-BZ—Application, August 4, 1939, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Matilda Tais-hoff, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 47-13 to 47-21 Kissena boulevard and 140-01 to 140-07 Mulberry court, northeast corner (Block No. 5216, Lot No. 41), Flushing, Borough of Queens.

CAL. NO. 1203-39-BZ—Application, September 29, 1939, under section 7c of the building zone resolution, of Edwin W. Kleinert and A. Stanely Miller, applicants, on behalf of Security Construction Company, owner, to permit the erection of a business building (stores), extending from a business use district into a residence use district; premises 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-0, 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens.

CAL. NO. 212-34-BZ—Application of Michael Marlo, applicant, on behalf of Carmelo Oddo, owner (Michael Monterosa, lessee), reopened June 20, 1939, under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station; said gasoline station was previously granted by the Board for a temporary period; premises 1709 Neptune avenue and 2760-2770 Cropsey avenue, northwest corner (Block No. 6994, Lot Nos. 97 and 99), Borough of Brooklyn.

CAL. NO. 1093-39-BZ—Application, August 17, 1939, under section 21 of the building zone resolution, of Lockwood Greene Engineers, Inc., applicant, on behalf of News

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Syndicate, Inc., owner, to permit in an unrestricted use district and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building; said extension not conforming with the "B" area requirements of the building zone resolution; premises 684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28, inclusive), Borough of Brooklyn.

CAL. NO. 856-39-BZ—Application, June 26, 1939, under sections 7a and 21 of the building zone resolution, of Frank E. Wall, applicant, on behalf of Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station; premises 823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 746-39-BZ—Application, June 7, 1939, under sections 7c, 7f and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Brooklyn Development Company, owner (George E. Weidner, lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a golf driving range and accessory club house; premises 2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

Appeal from Administrative Decision

894-39-A—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn (Under Section 35, General City Law, Re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 12, 1939, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

1325-39-A—2277-2281 Ocean parkway, east side, 120 ft. north of Avenue "W" (Block No. 7158, Lot No. 60), Borough of Brooklyn.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law).

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 12, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 971-27-BZ—Application of Assets Funding Corporation, lessee, and George W. Perkins and Dorothy P. Freeman, owners, reopened November 14, 1939 re amendment of resolution as to additional use as an automobile repair shop—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 270 Dyckman street, south side, 488.11 ft. west of Broadway (Block No. 2246, Lot No. 43), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 19, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 19, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1113-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frieda D. Waters, applicant and owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 1913-1929 Bay avenue, north side, 106 ft. 3½ in. east of East 19th street (Block No. 6748, Lot No. 97 and part of Lot No. 92), Borough of Brooklyn.

CAL. NO. 1121-39-BZ—Application, September 8, 1939, under section 21 of the building zone resolution,

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tion, of Lama and Proskauer, applicants, on behalf of Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue (Block No. 4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn.

CAL. NO. 1260-39-BZ—Application, October 13, 1939, under section 7c of the building zone resolution, of Thomas J. Curran, applicant, on behalf of South Brooklyn Savings Bank, owner, to permit the extension of a proposed bank building from a business use into a residence use district; premises 6422-6424 18th avenue and 1771-1775 65th street, northwest corner (Block No. 5546, Lot Nos. 50, 53, 57 and 58), Borough of Brooklyn.

CAL. NO. 186-37-BZ—Application of William Shary, applicant, on behalf of Aaron Rabinowitz, James L. Clare and Lawrence N. Martin, as trustees of Series F-1, owner (Reuben Nathan, lessee), reopened under new proposal June 27, 1939, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously denied re parking of more than five (5) motor vehicles); premises 709-719 Westchester avenue, 721-725 Forest avenue, northwest corner and 712-724 Jackson avenue (Block No. 2645, Lot No. 5), Borough of The Bronx.

CAL. NO. 1194-39-BZ—Application, September 28, 1939, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district, the erection and maintenance of a laundry which is accessory to a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx.

CAL. NO. 1189-39-BZ—Application, September 27, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William Jacobia and Albert Jacobia, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 136-05 32nd avenue and 31-51 Linden place, northeast corner (Block No. 4409, Lot No. 1), Flushing, Borough of Queens.

CAL. NO. 637-39-BZ—Application, May 17, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Shell Oil Co., Inc., owner,

to permit in a business use district, the extension of an existing gasoline service station; premises 63-56 Austin street and 91-39 63rd drive, southwest corner (Block No. 3103 (1897), Lot No. 43), Rego Park, Borough of Queens.

CAL. NO. 767-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Judson E. Schnall, applicant, on behalf of Estate of Benjamin Anchell and Philip Levison, owners (Thomas Kaltenbach, lessee), to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

CAL. NO. 181-39-BZ—Application, February 14, 1939, of Joshua Hochstein, applicant, on behalf of Frances Landa and Fannie Hochstein, owners, reopened and restored to calendar October 10, 1939, under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop, machine shop and garage for more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 45-37 to 45-55 50th (Fitting) street, east side, 400 ft. south of Queens boulevard (Block No. 2283, Lot No. 1), Woodside, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 19, 1939, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 19, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 736-38-BZ—Application of Rockefeller Center, Inc., applicant and lessee (The Trustees of Columbia University in the City of New York, owner), reopened November 28, 1939 for consideration re amendment of resolution—re Application, to permit in a retail use district, the installation of a gasoline dispensing system, with sale of gasoline to patrons and to service cars with oil and lubrication, in a garage (permission to erect which was granted by the Board under section 7g of the building zone resolution), on the 48th street side of building; premises 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

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JANUARY 3, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, January 3, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 845-39-BZ—Application, June 23, 1939, under section 21 of the building zone resolution, of Sidney H. Kitzler, applicant, on behalf of Harris Goody Realty Co., Inc., owner (Jack Nelson, lessee), to permit in a business use district, the erection of an accessory building on an existing gasoline service station; premises 253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

CAL. NO. 902-38-BZ—Application, October 18, 1938, under section 21 of the building zone resolution, of John R. Kilpatrick, applicant, on behalf of Madison Square Garden Corporation, owner, to permit in a residence use district and, also, within 200 feet of a hospital, the parking and storage of more than five (5) motor vehicles; premises 337-341 West 49th street, north side, 225 ft. east of Ninth avenue and 348-352 West 50th street (Block No. 1040, Lot Nos. 54, 55, 9, 10, 11 and part of Lot No. 14), Borough of Manhattan.

CAL. NO. 566-39-BZ—Application, May 3, 1939, under section 7h of the building zone resolution, of Nicholas F. Walsh, applicant, on behalf of Nicholas F. Walsh, Helen A. Walsh, Joseph A. Walsh, Mary A. Walsh and John A. Walsh, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 140 Post avenue, west side, 100 ft. north of West 207th street (Block No. 2223, Lot No. 22), Borough of Manhattan.

CAL. NO. 1392-39-BZ—Application, November 9, 1939, under section 7h of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of 870 Eighth Avenue Corporation, owner, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

CAL. NO. 148-35-BZ—Application of William J. Minogue, applicant, on behalf of 170 Dyckman Street Corporation, owner, reopened June 7, 1939, under sections 7a and 21 of the building zone resolution, to per-

mit partly in a residence use district and partly in a business use district, the conversion of occupancy of the 2nd story of an existing building from office use, previously granted by the board, to bowling alleys; premises 168-170 Dyckman street, west side, 100 ft. north of Sherman avenue and 71 Thayer street (Block No. 2175, Lot No. 70), Borough of Manhattan.

CAL. NO. 422-39-BZ—Application, April 4, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Bonded Lien Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 305-313 21st street and 697-705 Sixth avenue, northwest corner (Block No. 892, Lot No. 1), Borough of Brooklyn.

CAL. NO. 534-39-BZ—Application, April 27, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Emil Lazansky, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest corner (Block No. 3237, Lot No. 33), Borough of Brooklyn.

CAL. NO. 390-39-BZ—Application, March 29, 1939, under sections 7h and 21 of the building zone resolution, of John B. Leonard, applicant and lessee, on behalf of Ruth Allison Lilly, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1337 Leland avenue and 1850-1852 East 177th street, southwest corner (Block No. 3879, Lot Nos. 33, 34 and 37), Borough of The Bronx.

CAL. NO. 1017-39-BZ—Application, July 31, 1939, under section 7h of the building zone resolution, of Edward J. Carr, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 448-452 East 189th street, south side, 89.02 ft. east of Third avenue (Block No. 3042, Lot Nos. 27 and 29), Borough of The Bronx.

CAL. NO. 1115-39-BZ—Application, September 11, 1939, under sections 7a and 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of Herblou Corporation, owner (Wyatt Iron Works, Inc., lessee), to permit the extension of an iron works from an unrestricted use district into a business use district; premises 1211 Wyatt street, northwest corner of Van Nest avenue (Block No. 3908, Lot Nos. 53 and 66), Borough of The Bronx.

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CAL. NO. 517-39-BZ—Application, April 25, 1939, under sections 7h of the building zone resolution, of Thomas I. Sheridan, applicant and owner, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive and 30), Astoria, Borough of Queens.

CAL. NO. 1206-39-BZ—Application, October 3, 1939, under section 7a of the building zone resolution, of James Lewis Munson, applicant, on behalf of Menley & James, Ltd., owner, to permit upon a plot located partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a business building (storage of paper cartons); premises 91-17 to 91-27 138th place, northeast corner of Archer avenue (Block No. 9981, Lot Nos. 26 and 20), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1940, 2 P. M.

Appeals from Administrative Decisions

1369-39-A—70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1488-39-A—213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft. and 302.27 ft. east of Bell boulevard (Block No. 6116, part of Lot No. 20 and Block No. 6118, part of Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, January 3, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 351-35-BZ—Application of Jerrold Kane, applicant, on behalf of Camager Corporation, owner, reopened November 28, 1939 re extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the maintenance of a parking space for more than five (5) motor vehicles for a temporary period; premises 35-40 Junction boulevard, west side, 100.8 ft. north of 37th avenue (Block No. 1469, Lot Nos. 1 and 26), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 9, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1006-39-BZ—Application, July 26, 1939, under section 21 of the building zone resolution, of George G. Miller, applicant, on behalf of Rolleen Realty Corporation, owner, to permit in a residence use district, the lowest level of a rear yard above the curb level; premises 61-70 Overlook terrace, southwest corner of West 187th street (Block No. 2180, Lot No. 46), Borough of Manhattan.

CAL. NO. 1116-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frederick E. Goldsmith, applicant, on behalf of Avenue "N" Operating Corporation, owner, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 1811-1819 McDonald avenue, east side, 60 ft. south of Avenue "P" (Block No. 6633, part of Lot No. 12), Borough of Brooklyn.

CAL. NO. 1132-39-BZ—Application, September 14, 1939, under sections 7c and 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of J. Clarence Davies, Inc. and Consolidated Edison Co. of New York, Inc., owners (F. W. Woolworth Co., lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an extension to an existing business building; premises 31-34 Westchester square, west side, 185.65 ft. south of Frisby avenue and 2580 Frisby avenue (Block No. 3984, Lot No. 30 and part of Lot No. 16), Borough of The Bronx.

CAL. NO. 670-39-BZ-WF—Application, May 22, 1939, under section 7h of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Traders Building Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-19 National avenue, 102-01 to 102-13 42nd avenue, 41-27 to 41-33 102nd street and 41-18 to 41-30 103rd street (Block No. 1976, Lot Nos. 7, 10 and 13 to 16, inclusive), Corona, Borough of Queens.

CAL. NO. 1152-39-BZ—Application, September 20, 1939, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corporation, owner, to permit in a residence use district, the erection and maintenance of two (2) multiple dwellings having garages for more than three (3) motor vehicles in the basement story; garage

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space is for the use of tenants only; premises 77-15 and 77-25 113th street, north side of 77th avenue, south side of 78th avenue, from 113th street to 113th place (Grand Central parkway extension); (Block No. 2269, Lot Nos. 2-24-32), Forest Hills, Borough of Queens.

CAL. NO. 455-39-BZ—Application, April 11, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Caroline B. Gale, owner (Jamaica Parking and Realty Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-11 166th street, east side, 45 ft. south of 89th avenue (Block No. 9798, Lot No. 22), Jamaica, Borough of Queens.

CAL. NO. 876-39-BZ—Application, June 29, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Anne Adelman and Henrietta Solomon, owners (Jamaica Parking and Realty Company, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-03 to 89-17 169th street and 169-02 to 169-10 89th avenue, southeast corner (Block No. 891, Lot Nos. 15 and 18), Jamaica, Borough of Queens.

CAL. NO. 94-38-BZ—Application of Arthur W. Renander, applicant, on behalf of Jeho Company, Inc., owner (Jamaica Parking Company, Inc., lessee), reopened and re-

stored to calendar May 9, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 30, 1940, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 28, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, October 24, 1939 and the minutes of the regular meeting of the Board held on Tuesday afternoon, October 24, 1939, were approved as printed in Bulletin No. 44, Vol. 24.

BUILDING ZONE CASES

47-38-BZ.

APPLICANT — Herman Kron, for Harris Ratner, Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus

place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron, John G. Coleman and Joseph B. Ratner.

For Opposition: Sol A. Herzog, A. L. Garber, Philip Krumholz and Frank H. Dixon.

ACTION OF BOARD—Laid over to December 12, 1939, at 10 a.m., for consideration by the board. No further argument.

856-39-BZ.

APPLICANT—Frank E. Wall, for Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

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APPEARANCES—

For Applicant: Frank E. Wall.
For Opposition: Mrs. Lillian Seides.

ACTION OF BOARD—Laid over to December 12, 1939, at 10 a.m. Applicant to revise plans and for further consideration by the board.

766-39-BZ.

APPLICANT — Oliver Reagan, for Estate of Erskine, owner (Norvin H. Green, executor).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the alteration and change of occupancy of an existing building (private stable and dwelling) to office use and dwelling.

PREMISES AFFECTED — 144 East 39th street, south side, 197 ft. east of Lexington avenue (Block No. 894, Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Applicant: F. X. Hennessy.
For Opposition: John P. Fox.

ACTION OF BOARD—Application withdrawn, without argument, on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

742-38-BZ.

APPLICANT—George Goodstein, for Leon W. McKeon, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment, dwelling and two (2) car garage.

PREMISES AFFECTED—3129 Perry avenue, west side, 110 ft. north of 204th street (Block No. 3341, Lot Nos. 26 and 27), Borough of The Bronx.

APPEARANCES—

For Applicant: George Goodstein, Leon W. McKeon and Milton A. Sidolsky.
For Opposition: None.
For Administration: Henry F. Silverman, health department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(742-38-BZ)

WHEREAS, George Goodstein, for Leon W. McKeon, owner, filed August 25, 1938, an application under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment, dwelling and two (2) car garage; premises: 3129 Perry avenue, west side, 110 ft. north of 204th street (Block No. 3341, Lot Nos. 26 and 27) Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, November 28, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Perry avenue, 205th street and Hull avenue are in residence and business use districts; 204th street and Bainbridge avenue are in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated July 25, 1938, as amended on July 7, 1939, reads:

"Superseding my letter of July 25, 1938, please be advised that your application for a Certificate of Occupancy to occupy the building located at the above premises as an undertaking establishment, one family dwelling and two car garage, is hereby denied as these premises are located in a residence use district and the proposed occupancy is contrary to Section 3 of Article 2 of the amended Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 100 ft. A small, irregular shaped area at the westerly rear of the plot is located in a business use district—the remainder of the plot (including the building) is located in a residence use district. Upon the plot there is a three story frame building, 22 ft. by 65 ft. in area, occupied as a dwelling and having an accessory 2 car garage in the rear of the basement story. It is proposed to occupy the building (without alteration) as an undertaking establishment, one family dwelling and two (2) car garage; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under Section 7-C thereof, to permit the continuation of the undertaking establishment on the premises in question, on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work involved, completed within six months from the date of this resolution.

479-39-BZ.

APPLICANT—Herman Kron, for Board of Transportation, City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—209 East Houston street, southeast corner of Ludlow street and 167-179 Essex street, west side, 100 ft. south of East Houston street (Block No. 412, Lot No. 53), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.
For Opposition: Nathan Glotz.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

THE RESOLUTION—

(479-39-BZ)

WHEREAS, Herman Kron, for Board of Transportation, City of New York, owner, filed April 17, 1939, an application under Section 21 of the Building Zone Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and also the parking and storage of more than five (5) motor vehicles; premises: 209 East Houston street, southeast corner of Ludlow street and 167-179 Essex street, west side, 100 ft. south of East Houston street (Block No. 412, Lot No. 53), Borough of Manhattan; and

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WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 28, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East Houston street, Essex street, Ludlow street and Stanton street are in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, re N.B. Application No. 77-39, dated April 14, 1939, reads:

"The proposed construction of a gasoline Service Station and parking and storage of more than five motor vehicles in a business district, is contrary to Article 2, Section 4, subdivisions 15 and 46 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 99.7 ft. on East Houston street, 125 ft. on Ludlow street and 198 ft. 4 in. on Essex street. It is proposed to erect an accessory building, 12 ft. by 12 ft. in area and also the necessary tanks and pumps for a gasoline service station on the Essex street frontage of the plot and, also, to use the remainder of the plot for storage and parking of more than five motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the applicant at the public hearing withdrew that part of his application for a variance to permit a gasoline service station; and

WHEREAS, verbal report of the committee recommended denial of the application on the ground no justifiable need could be found for the parking space; and

WHEREAS, the board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision H for the use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent of buildings, re N.B. Application No. 77-39, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

552-39-BZ.

APPLICANT—Bernhardt T. Berman, for Elias Goldberg, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—1028-1030 Utica avenue, west side, 100 ft. south of Tilden avenue (Block No. 4734, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Elias A. Goldberg and Bernhardt T. Berman.

For Opposition: A. M. Goodman, Josephine Trolta, Michael Trolta, F. Di Lauro and Mrs. Anna Di Lauro.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(552-39-BZ)

WHEREAS, Bernhardt T. Berman, for Elias Goldberg, owner, filed May 3, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the alteration and conversion of occupancy of

an existing building to a motor vehicle repair shop; premises: 1028-1030 Utica avenue, west side, 100 ft. south of Tilden avenue (Block No. 4734, Lot No. 11), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 28, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Utica avenue is in a business use district; Tilden avenue is in a residence and business use district; East 49th street and East 51st street are in a residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, re Alt. Application No. 668-39, dated April 12, 1939, reads:

"1. Proposed change of occupancy of building from office of 4 car garage to auto repair shop and office not permitted in business use zone. Art. 2, Section 4a(29) of Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 40 ft. and a depth of 100 ft. Upon the southerly street front of the plot there is a one story building 14 ft. by 29 ft. in area; this building is to remain. Upon the rear of the plot there is a one story building 40 ft. by 22 ft. in area, occupied as a four (4) car garage and auto laundry (a Certificate of occupancy for same is filed). It is proposed to erect upon the remainder of the plot, as shown upon filed plans, a one story brick building to be used as a motor vehicle repair shop; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, report of which inspection recommended the granting of this application; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship to permit minor repairing of motor vehicles.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted, on condition* that the proposed building shall be used throughout for conforming uses, except that minor motor vehicle repairs may be carried on, including adjusting of brakes, provided such work is carried on with hand tools only, except that there may be permitted a drill and grinder with motor of not over $\frac{1}{2}$ horsepower; that there shall be no windows constructed in the side or rear walls of the building; that any roof skylights erected shall not be any nearer than 10 ft. from the side or rear lot lines, except for toilet; that no roof signs shall be erected and no temporary signs; that the curb cut now existing in the curbs shall not be increased in size; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

667-39-BZ.

APPLICANT—Lama and Proskauer, for Louis Kliegman, owner (Theodore Tannor, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of an accessory building located on an existing gasoline service station.

PREMISES AFFECTED—928-932 Stone avenue, northwest corner of Linden boulevard (Block No. 3639, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Theodore Tannor.

For Opposition: Pearl Shavell and Tillie Teppler.

ACTION OF BOARD—Application granted on condition.

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THE VOTE TO GRANT—

Affirmative: Commissioners Savage and Blum
and Assistant Chief Walsh..... 3
Negative: Chairman Murdock 1

THE RESOLUTION—

(667-39-BZ)

WHEREAS, Lama and Proskauer, for Louis Kliegman, owner, (Theodore Tannor, lessee), filed May 22, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the extension of an accessory building located on an existing gasoline service station; premises: 928-932 Stone avenue, northwest corner of Linden boulevard (Block No. 3639, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 28, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard, Stone avenue, Watkins avenue and Hegeman avenue are in a business use district; and

WHEREAS, the decision of the Borough Superintendent, re Alt. Application No. 1768-1939, dated May 16, 1939, reads:

"The extension of a building in a business use district for uses accessory to a gasoline service station is contrary to the Building Zone Resolution Art. 2, Section 4(46)."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Linden boulevard and 55 ft. on Stone avenue, and occupied as a gasoline service station. It is proposed to extend the area of the present accessory building, on the site by an addition (to the south), 24 ft. 6 in. by 23 ft. in area, to be occupied as a lubritorium and also, by a 5 ft. wide addition at the front of the present accessory building; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship as to construction of an addition to existing accessory building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, to permit the extension of the existing accessory building, as proposed, *on condition* that the building shall not exceed one story in height, or a total height of not over 14 ft. to the top of the parapet; that such addition shall be constructed of incombustible materials, except that the roof beams and roof boarding may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and the roof is surfaced with approved weather surfacing; that there shall be no windows in the lot line wall to the west; that such windows as are constructed on the lot line wall to the south, shall be of steel sash and the sills shall not be less than 6 ft. above grade; that no closure doors shall be constructed unless the grease pits are ventilated by means of ducts and with a motor driven fan of the sparkproof type, except that the closure doors may be constructed if the greasing equipment is of the hydraulic type; that no roof signs or temporary signs shall be erected; that a permanent sign may be permitted, attached to the front of the building; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

763-39-BZ.

APPLICANT—Frank E. Wall, for J. W. Schneider, owner.
SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7a of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station and also the erection of a new accessory building.

PREMISES AFFECTED—22-24 Jewett avenue, west side, 92.57 ft. south of Bennett street (Block No. 1012, Lot No. 84), Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: Frank E. Wall.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(763-39-BZ)

WHEREAS, Frank E. Wall, for J. W. Schneider, owner, filed June 9, 1939, an application under section 7A of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station and also the erection of a new accessory building; premises: 22-24 Jewett avenue, west side, 92.57 ft. south of Bennett street (Block No. 1012, Lot No. 84), Port Richmond, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 28, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jewett avenue and Avenue B are in a business use district; Richmond terrace is in a business and unrestricted use district; Bennett street and New street are in business and residence use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated June 5, 1939, reads:

"Your application, New Building No. 150-39, to erect a gasoline service station is hereby denied, as it is contrary to the Building Zone Resolution to erect a gasoline selling station in a business use zone (Amended Building Zone Resolution, Art. II, Paragraph 4)."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 87.6 ft. and a depth (maximum) of 133 ft. Upon the central north part of the plot there is located a 2½ story frame dwelling which is to remain; at the rear of the plot are a storage shed and five (5) individual garages which are to remain. The remainder of the plot is occupied by a frame accessory building, 31 ft. by 26 ft. in area and also the necessary tanks and pumps for a gasoline service station. It is proposed to demolish the present accessory building and to erect upon the plot a new accessory building, 42 ft. by 26 ft. in area and to continue the use of the plot as now developed; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 21 thereof, to permit upon the removal of the existing accessory building, construction of the new accessory building as proposed, *on condition* that such building shall be constructed of incombustible materials, except that the roof beams and boarding, window frames and sash, door frames

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and doors may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals and that the roof is surfaced with approved weatherproofing material; that there shall be no windows opening upon the lot line to the south; that if greasing pits are installed, there shall be no closure doors unless the greasing pits are ventilated by means of ducts through the roof with ventilating fan and motor of the sparkproof type, or unless the greasing equipment is of the hydraulic type with no open pit; that the boiler-room shall be separated from the balance of the building by fireproof material and enterable only from the exterior of the building; that no additional gasoline pumps shall be installed nearer than 15 feet from the street building line; that no automobile repairing shall be carried on and no parking of cars other than those being serviced; that signs shall be restricted to permanent signs attached to the accessory building, excluding all roof signs and temporary signs, but permitting the erection within the building line of a post standard, supporting a sign which may be illuminated, advertising the brand of gasoline on sale, permitting such sign to extend beyond the building line for a distance of not more than four feet; that all permits required shall be obtained and all work involved, completed within one year from the date of this resolution.

904-39-BZ.

APPLICANT—Jack Z. Cohen, for Julia V. Delany, owner.
SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the extension of an existing garage for more than five (5) motor vehicles, said garage located on same street between two (2) intersecting streets as a public school.

PREMISES AFFECTED — 595-597 Quincy street, north side, 200 ft. east of Lewis avenue (Block No. 1625, Lot No. 73), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

For Opposition: Charles Tilgner, dept. of education.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4

THE RESOLUTION—

(904-39-BZ)

WHEREAS, Jack Z. Cohen, for Julia V. Delany, owner, filed on July 5, 1939, an application under the building zone resolution, to permit in a residence use district, the extension of an existing garage for more than five (5) motor vehicles, said garage is located on the same street between two intersecting streets as a public school; premises: 595-597 Quincy street, north side, 200 ft. east of Lewis avenue (Block No. 1625, Lot No. 73), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 28, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Quincy street is in residence and business use districts; Lexington avenue and Stuyvesant avenue are in unrestricted and business use districts and Lewis avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent, re Alt. Applic. No. 765-39, dated June 30, 1939, reads:

"1. Proposed extension of a public garage on the same street between two intersecting streets as a public school exit or entrance is contrary to Art. V, Sec. 21 of the Bldg. Zone Resolution.

2. Proposed extension of a public garage in a residential use district is contrary to Art. II, Sec. 3 of the Bldg. Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 100 ft. Upon the westerly front of the plot there is located a two-story, frame building, 17 ft. by 35 ft. in area; occupied as a store and office on the 1st story and chauffeur's room and office on the 2nd story. The remainder of the plot is occupied as a one-story brick public garage. It is proposed to demolish this structure and to occupy the entire plot as a garage for more than 5 motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that in view of the existence of the public school on the same street between intersecting streets as the site under appeal, it is precluded from making any favorable decision herein; and

WHEREAS, under Cal. No. 1067-17-BZ, the Board denied a similar application for the extension of a garage on premises in question.

Resolved, that the decision of the Borough Superintendent, re Alt. Applic. No. 765-39, be and it hereby is affirmed and that the application be and it hereby is denied.

1091-39-BZ.

APPLICANT—Thomas W. Lamb, Inc., for Sixth Avenue and 44th Street Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 1120-1136 Sixth avenue, east side, entire block from West 43rd street to West 44th street (Block No. 1259, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas W. Lamb, Harry Williams, Harry Rapoport, J. S. Dudley, G. Bradford and M. R. Friedman.

For Opposition: S. Barry Shenk, Max Finck, Julian Liberman and Abraham Parower.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4

Negative 0

THE RESOLUTION—

(1091-39-BZ)

WHEREAS, Thomas W. Lamb, Inc., for Sixth Avenue and 44th Street Corporation, owner, filed September 5, 1939, an application under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 1120-1136 Sixth avenue, east side, entire block from West 43rd street to West 44th street (Block No. 1259, Lot No. 1), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 28, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sixth avenue, West 43rd street and West 44th street are in a retail use district; and

WHEREAS, the decision of the Borough Superintendent, re N.B. Application No. 154-39, dated August 25, 1939, as amended October 20, 1939, reads:

"1. The use of a lot for parking or storage of more than five motor vehicles in a retail district is contrary

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to Section 4a, sub. 15 of the Building Zone Resolution. See Sec. 4-A of the Building Zone Resolution."

and
WHEREAS, the premises consist of a plot of ground having a frontage of 201 ft. on Sixth avenue, 340 ft. on West 44th street, and 340 ft. on West 43rd street. It is proposed to erect upon the easterly lot line of the plot a one story office, approximately 37 ft. by 15 ft. in area and to use the remainder of the plot for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-h thereof, to permit the plot under appeal to be occupied for the term of two years from the date of this resolution for the transient parking of more than five (5) motor vehicles, *on condition* that only cars of the pleasure-car type shall be so parked; that the plot shall be leveled substantially to the grade of the surrounding streets and shall be surfaced, as indicated on plans filed, with a bed of steam cinders topped with bluestone and properly rolled and bound; that there shall be erected on the street lot lines, substantial iron fences and concrete curbs and bumpers, as indicated on working drawings marked "Received November 24, 1939", which are hereby *approved* as meeting the requirements of the Board under this resolution; that during the term of this variance, the plot shall be used for no other use than that herein permitted for transient parking, and to effectuate this, each car shall bear a tag stamped with the time of entry; that during the term of this variance, no building shall be erected on the premises, except there may be erected a building, as indicated, as an office and comfort station for customers; that in the intervening space between the comfort station building and the side lot line wall of the adjoining building to the east, there shall be constructed suitable enclosure fencing not less than 7 feet in height, both toward the north and toward the south; that signs shall be restricted to those attached to the fence, as indicated, at the entrance on West 43rd street and West 44th street; that curb cuts shall be limited to one on West 44th street and one on West 43rd street, as indicated, each not exceeding 25 feet in width; that light for general illumination shall be restricted to lights on post standards with metallic reflectors so arranged as to reflect toward the center of the plot; that at all the points indicated, trees shall be planted of a type and size recommended by the Park Department, but not less than 15 feet in height, located on all three street fronts, approximately 25 feet on centers; that at all times, passageways as located by the department, shall be left from the foot of the fire escapes serving the Hotel Royalton to the main aisle of the parking lot, for ready exit in case of fire; that such portable fire-fighting equipment shall be maintained as the fire commissioner shall direct; that adequate aisles shall be maintained at all times to provide ready entrance and exit; that all permits required shall be obtained and all work involved, completed within six months from the date of this resolution.

1142-39-BZ.

APPLICANT—Joel D. Marder, for Manhattan Storage and Warehouse, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—140-146 West 53rd street, south side, 225 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 53-55), Borough of Manhattan.

APPEARANCES—

For Applicant: Joel D. Marder and George W. Gerlach.

For Opposition: Benjamin Gollay and Jacob S. Linett

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1142-39-BZ)

WHEREAS, Joel D. Marder, for Manhattan Storage and Warehouse, owner, filed on September 19, 1939, an application under the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises: 140-146 West 53rd street, south side, 225 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 53-55), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, November 28, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 52nd street and West 53rd street are in business and retail use districts; Seventh avenue and Sixth avenue are in a retail use district; and

WHEREAS, the decision of the Borough Superintendent, dated September 5, 1939, reads:

"In answer to your letter of August 28, 1939, enclosing application for a certificate of occupancy for a garage for more than 5 motor vehicles at the above location, you are advised said application has been disapproved as the premises are located in a business district where this occupancy is prohibited."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 201 ft. on Seventh avenue, 306 ft. on West 53rd street and 300 ft. on West 52nd street, occupied by the Manhattan Storage and Warehouse Co. The building in question is located on the easterly 80 ft. of the West 53rd street front of the premises. It is fireproof, one-story in height and 80 by 100 ft. 5 in. in area, occupied as a loading shed; equipped with a scale for weighing moving vans and, also, a loading platform leading into the adjacent building. It is proposed to convert the occupancy of this building to a garage for more than five (5) motor vehicles, used in conjunction with the business conducted on the premises; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7, subdivision E of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-E thereof, to permit the use of the premises for the storage of more than five motor vehicles, *on condition* that such motor vehicles shall be in the ownership of the Manhattan Storage and Warehouse Company or used in connection with the ordinary course of their business; that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; that in all other respects the occupancy and construction shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work involved, completed within six months from the date of this resolution and granted only so long as the premises are accessory to the general business of the Manhattan Storage and Warehouse Company.

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1153-39-BZ.

APPLICANT—Edgar J. Moeller, for Remsenburg Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (store).

PREMISES AFFECTED — 1522-1526 Kings Highway, southwest corner of East 16th street (Block No. 6798, part of Lot No. 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas C. Rogers, Edgar J. Moeller and Albert L. Groce.

For Opposition: Leonard I. Silberman, Victor Sussman and Mrs. Amelia August.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1153-39-BZ)

WHEREAS, Edgar J. Moeller, for Remsenburg Realty Corp., owner, filed September 20, 1939, an application under sections 7C and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores); premises: 1522-1526 Kings Highway southwest corner of East 16th street (Block No. 6798, part of Lot No. 42), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, November 28, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Kings Highway is in a business use district; East 15th street and East 16th street, are in residence, business and unrestricted use districts and Avenue P is in a residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, re N.B. Application No. 1731-39, dated August 31, 1939, reads:

"1. Proposed extension of business building into a residence district is contrary to Art. II, Sec 3, Zoning Resolution and is hereby denied."

and

WHEREAS, the proposed building will be of Class 3 construction, one story in height, with a frontage of 48 ft. 7 in. on Kings Highway and 142 ft. 9 in. on East 16th street. It is proposed to erect upon the plot a business building (2 stores). The southerly portion of the proposed structure (having a frontage of approximately 35 ft. on East 16th street) is located in a residence use district—the remainder of the building is in a business use district; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7, subdivision C of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the extension of the business use, as proposed, *on condition* that the building shall not exceed one story in height and shall not be occupied by any occupant purveying food products; that there shall be no windows opening to the side lot line to the south; that no signs shall be erected on the building within the residential use area, other than a flat unilluminated sign attached to the building, advertising the occupant's business; that no sign shall be erected extending beyond the building; that in all other respects, all laws, rules and regulations

applicable thereto shall be complied with; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

1313-39-BZ.

APPLICANT—Aymar Embury II, for Queens County Jockey Club, owner.

SUBJECT—Application (re decisions of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use district, the erection of two (2) buildings, the alteration and extension in area of two (2) buildings and the relocation of three (3) buildings existing on the premises. Each of the five (5) buildings to be used as stables for more than five (5) horses, as accessory to the Jockey Club (Race Track) existing on the premises.

PREMISES AFFECTED—North side of North Conduit avenue, between 135th and 150th avenues (Block No. 2317, Lot No. 1, Block No. 2318, Lot No. 1, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens.

APPEARANCES—

For Applicant: A. D. Marinelli.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1313-39-BZ)

WHEREAS, Aymar Embury II, for Queens County Jockey Club, owner, filed October 25, 1939, an application under sections 7-A and 21 of the building zone resolution, to permit in a residence use district, the erection of two buildings, the alteration and extension in area of two buildings and the relocation of three buildings existing on the premises. Each of the five buildings involved, to be used as stables for more than five horses, as accessories to the Jockey Club (race track) existing on the premises; premises: North side of north Conduit avenue, between 135th and 150th avenues (Block Nos. 2317, 2318, 2320, 2322 and 2324, Lot No. 1 of each), Aqueduct Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 28, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 110th street is in a residence, business and unrestricted use district; 111th street is in a residence and business use district; 112th street, 113th street and 114th street are in a residence use district; North Conduit avenue is in a residence and business use district; 150th avenue is in a residence use district and 149th avenue is in a residence, business and unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent on N.B. Application No. 7657-7658 of 1939, dated September 28, 1939, reads:

"1. The erection of a building to be used as a horse stable, in a residence district, is contrary to Article 2, Section 3 of the Zoning Law."

and

WHEREAS, the decision of the Borough Superintendent of buildings, dated September 29, 1939, re App. No. 2156-2157-39, reads:

"1. The enlargement of a frame horse stable located in a residence district is contrary to Article 2, section 3 of the Zoning Law."

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and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated September 29, 1939, re App. No. 6944, 6945, 6946-39, reads:

"1. The moving of a frame horse stable from one part of a residence district to another is contrary to Article 2, Section 3 of the Zoning Law."

and

WHEREAS, the premises consist of a plot of ground bounded by North Conduit avenue, 135th avenue, 109th street and 114th street, occupied by the Queens County Jockey Club. It is proposed to erect upon the plot two frame stables (208 ft. by 48 ft. in area), shown on filed plans as buildings "D" and "E"; it is proposed to extend the area of two (2) stables, shown on filed plans as "F" and "G" by an addition having a frontage of 200 ft. and a depth of 13 ft. 5 in. and, also, it is proposed to relocate the three (3) stables, shown as "A", "B", "C" on plans, to new locations as shown on filed plans; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under Section 7, subdivision A of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a *variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-A thereof, to permit the construction and use of the stables as shown and to permit the re-location as indicated, *on condition* that such stables shall comply in all other respects with all laws, rules and regulations, except as modified under Cal. No. 1314-39-A; and *granted* only so long as these buildings are used as accessories to the race track; that all permits required shall be obtained and all work involved, completed within one year from the date of this resolution.

APPEAL FROM ADMINISTRATIVE DECISION

1314-39-A.

APPLICANT — Aymar Embury II, for Queens County Jockey Club, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings. (Under section 35, General City Law re Bed of Mapped street).

PREMISES AFFECTED—North side of Conduit avenue, between 135th avenue and 150th avenue (Block No. 2317, Lot No. 1, Block No. 2318, Lot No. 1, Block No. 2320, Lot No. 1, Block No. 2322, Lot No. 1 and Block No. 2324, Lot No. 1), Aqueduct Park, Borough of Queens.

APPEARANCES—

For Applicant: A. D. Marinelli.

For Opposition: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1314-39-A)

WHEREAS, Aymar Embury II, for Queens County Jockey Club, owner, filed October 25, 1939, an appeal from decisions of the borough superintendent of Buildings, affecting premises: North side of North Conduit avenue, between 135th avenue and 150th avenue (Block Nos. 2317, 2318, 2320, 2322 and 2324, Lot No. 1 of each), Aqueduct Park, Borough of Queens, and an application for permission to erect and to locate buildings in the bed of mapped streets, pursuant to Section 35 of the General City Law; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. Nos. 7657-7658-39, dated September 28, 1939, reads:

"2. The erection of a frame building to be used as a stable for horses, is contrary to Section 4.2.1 of the Building Code."

and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. Nos. 2156 and 2157, dated September 29, 1939, reads:

"2. The extension of a frame horse stable by additional frame construction, is contrary to section 4.1.5, subdivision b of the Building Code."

and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. Nos. 6944, 6945, 6946-39, dated September 29, 1939, reads:

"2. The moving of a frame horse stable from one part of a plot to another, is contrary to section 4.2.1 of the Building Code."

and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. Nos. 7657 and 7658 and Alt. Applic. Nos. 2156 and 2157—1939, dated October 18, 1939, reads:

"1. The proposed location of a building or any part of a building, in the bed of a mapped street, must meet with the approval of the Board of Standards and Appeals. (G.O. 10/25/38)."

and

WHEREAS, it is proposed to move three (3) existing stables to new locations within the premises, to erect two (2) new stable buildings and to alter and enlarge two (2) existing stable buildings; two (2) of the buildings to be moved, the two new buildings and the two buildings which it is proposed to alter, will encroach upon the bed of mapped streets, as shown on plans filed with this appeal, October 25, 1939; and

WHEREAS, the applicant contends that the number of sizes of the buildings and the plan of the race track make it impossible to avoid locating the buildings within the beds of the mapped streets. It is therefore requested of the Board to allow these buildings to be located as shown on the plot plan filed with this appeal, until such time that the race track is removed for some purpose by the City of New York or for some reason of the owners; that this appeal also includes the objections with regard to the erection, alteration and moving of frame horse stables; that the buildings are located within a private park and at no point is any one of the buildings located less than five-hundred (500) feet from any other building other than buildings belonging to the race track and which are also occupied as horse stables; that only 2 of the 7 buildings are to be new buildings. 2 are to be extended as shown on plans and 3 are to be removed to new locations. The buildings are not to be used for human occupancy.

Resolved, that the decisions of the Borough Superintendent be and they hereby are *modified* and that the appeal be and it hereby is *granted*, under the powers given the Board under Section 35 of the General City Law, to permit the buildings as proposed to be erected within the bed of mapped streets, as shown, *on condition* that if the bed of the streets are acquired by the City, the buildings shall be removed at the expense of the owner and no claim for damages shall be made therefor; that the buildings may be erected as proposed, of frame, provided that in all other respects they meet the requirements of all laws, rules and regulations applicable thereto, including the requirements of the Building Zone Resolution, except as varied under Cal. No. 1313-39-BZ; that such buildings shall be used solely as proposed, for horse stables as accessory to the race track and for no other purpose; that all permits required shall be obtained and all work involved, completed within one year from the date of this resolution.

Adjourned, 12:50 P.M.

JOSEPH J. DOYLE, Chief Clerk.

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REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 28, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

553-29-BZ.

APPLICANT—Lama and Proskauer, for Lefland Realty Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a residence use district, the proposed extension of public garage, gasoline service station and lubritorium.

PREMISES AFFECTED—1408-1430 Linden boulevard and 1022-1032 Rockaway avenue, southeast corner (Block No. 3643, Lot Nos. 23 and 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

39-34-BZ.

APPLICANT—Thomas F. Dwyer, for Old Oak Community Club, Inc., lessee (Dale Carnegie, owner).

SUBJECT—Application for consideration—reopening and amendment re decision of the borough superintendent of buildings—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the change of occupancy of an existing building to business use (restaurant) for a temporary period.

PREMISES AFFECTED—Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Thomas F. Dwyer.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

351-35-BZ.

APPLICANT—Jerrold Kane, for Camager Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the maintenance of a parking space for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—35-40 Junction boulevard, west side, 100.8 ft. north of 37th avenue (Block No. 1469, Lot Nos. 1 and 26), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Jerrold Kane.

ACTION OF BOARD—Application reopened and set for hearing, January 3, 1940, at 2 p.m., pending inspection by a committee of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

736-38-BZ.

APPLICANT—Rockefeller Center, Inc., lessee; The Trustees of Columbia University in the City of New York, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings) under section 7g of the building zone resolution, permitting in a retail use district, the erection and maintenance of a building to be occupied as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry M. Schley.

ACTION OF BOARD—Application reopened and set for hearing December 19, 1939, at 2 p.m.

THE VOTE TO REOPEN AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

192-16-BZ.

APPLICANT—Atlas Abrasives Corporation, for Arthur Ackerman, owner.

SUBJECT—Application for consideration—reopening and amendment—to permit in a business use district, the conversion of occupancy of a public garage (previously granted by the board) to the manufacture and process of abrasive cloths and papers.

PREMISES AFFECTED—459-461 12th street, north side, 40.5 ft. west of Eighth avenue (Block No. 1096, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Percy Litchfield and George Copeland.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(192-16-BZ)

WHEREAS, this application, to permit in a business use district, a garage for more than five (5) motor vehicles, affecting premises: 459-461 12th street, north side, 40.5 ft. west of Eighth avenue (Block No. 1096, Lot No. 44), Borough of Brooklyn, was granted by the Board November 14, 1916, and present owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of November 14, 1916, by adding thereto:

"That in the event after the construction of the 3-story and cellar garage permitted under this resolution, the owner desires to discontinue the garage use and to occupy the building for conforming use as a factory, such occupancy may be permitted provided the building complies in all respects with all laws, rules and regulations applicable to such occupancy."

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535-23-BZ.

APPLICANT—M. W. Del Gaudio, for Rutland Parkway, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment re decision of the borough superintendent of buildings—re Application, previously granted on condition, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1181 East New York avenue, northeast corner of Portal street (Block No. 1399, Lot No. 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Cosenza.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(535-23-BZ)

WHEREAS, Benjamin Dreisler, Jr., for Alexander M. Graham, owner, filed May 2, 1923, an application under the Building Zone Resolution, to permit partly in a residence use district and partly in a business use district, the erection of a garage for the storage of more than five (5) motor vehicles; premises: 1181 East New York avenue, northeast corner of Portal street (Block No. 1399, Lot No. 100), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board July 31, 1923, on certain conditions and owner requested an amendment of the resolution; and

WHEREAS, it appears that the garage has been constructed in accordance with the requirements of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted July 31, 1923, as amended by resolution adopted November 27, 1923, only so far as it relates to gasoline storage tanks, by adding thereto:

"That in the event the owner desires to install an additional 550 gallon gasoline storage tank, making a total of two such tanks and an additional pump, such installation may be permitted, provided all laws, rules and regulations relating to such installation are complied with.

190-27-BZ.

APPLICANT—Edmund T. See, for Brooklyn Trust Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution, permitting the extension from a business use district into a residence use district, of a proposed business building (stores and dance hall); amended to permit the conversion of occupancy to a theatre; request now made to occupy the building as a public library (theatre not erected).

PREMISES AFFECTED—1401 Kings Highway and 1653-1671 East 14th street, northeast corner (Block No. 6777, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edmund T. See.

ACTION OF BOARD—Application reopened, amendment of June 12, 1934 rescinded and resolution of May 31, 1927, amended.

THE VOTE TO REOPEN, RESCIND AMENDMENT OF JUNE 12, 1934 AND AMEND RESOLUTION OF MAY 31, 1927—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(190-27-BZ)

WHEREAS, this application, affecting premises: 1401-1405 Kings Highway and 1653-1671 East 14th street, northeast corner (Block No. 6777, Lot No. 50), Borough of Brooklyn, was granted by the Board, May 31, 1927 and further amended; and

WHEREAS, the theatre permitted by amendment to resolution adopted June 12, 1934, was not constructed; and

WHEREAS, the new owner, Brooklyn Trust Company, requests an amendment to resolution as adopted May 31, 1927, as amended June 19, 1929, so as to permit occupancy of the northerly portion of the second floor as a branch library.

Resolved, that the Board of Standards and Appeals does hereby *rescind* the amendment of the resolution adopted June 12, 1934, and does hereby *amend* its resolution of May 31, 1927, as amended June 19, 1928, by adding thereto:

"That in the event the owner desires to occupy the northerly portion of the second floor of the building (as constructed under variance granted) as a branch of the Brooklyn Public Library, such occupancy may be permitted (substantially as shown on Alteration Application 4786 of 1939), *on condition* that in all respects the building complies with the requirements of all laws, rules and regulations applicable thereto other than as varied herein, except that the building need not be constructed fireproof, provided the floor loading of the second floor is at least 120 lbs. per superficial foot and the ceiling of the first floor is protected with a metal ceiling and that the exits shall comply with all requirements for the proposed occupancy."

229-34-BZ.

APPLICANT—Edgar J. Moeller, for John McCluskey, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a repair shop for motor vehicles in connection with automobile sales building.

PREMISES AFFECTED—531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), Borough of The Bronx.

APPEARANCES—

For Applicant: Edgar J. Moeller.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(229-34-BZ)

WHEREAS, this application affecting premises 531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), Borough of The Bronx, was granted by the board, October 16, 1934, on certain conditions, resolution amended November 13, 1934, November 19, 1935, November 10, 1936, October 19, 1937 and January 10, 1939, and applicant requests a further amendment as to time limit imposed.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on October 16, 1934, as amended by resolution on November 13, 1934, November 19, 1935, November 10, 1936, October 19, 1937, and January 10, 1939, only so far as it has reference to the

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completion of work, so that as amended this portion of resolution shall read:

"that in view of statement of applicant that plans have been filed and approved and permits obtained, all work shall be completed within one year from the date of this amended resolution and that other than as amended herein the resolution adopted by the board on October 16, 1934, as amended by resolution on November 13, 1934, shall be complied with in all respects."

APPEALS FROM ADMINISTRATIVE DECISIONS

1111-39-A.

APPLICANT—Benjamin Saltzman, assistant engineer for Alfred Rader, acting borough superintendent, department of housing and buildings, Borough of Brooklyn.

OWNER OF PREMISES — William Crystal and Anna Crystal (Samuel Budoff, lessee).

SUBJECT—Application for the revocation of Certificate of Occupancy No. 66349 and Permit No. 11430-31.

PREMISES AFFECTED — 545-567 Ridgewood avenue, northeast corner of Nicholas avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Owner: Beatrice Sloane.

ACTION OF BOARD—Laid over to December 12, 1939, 2 p.m., pending court decision.

1184-39-A.

APPLICANT—Slee and Bryson, for Ridgelawn Homes, Inc., owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings (under Section 36, General City Law re building fronting on a proposed private street).

PREMISES AFFECTED—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: John B. Slee and C. Elmer Blomberg.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Laid over to December 12, 1939, at 2 p.m., for applicant to confer with City Planning Commission.

1288-39-A.

APPLICANT—E. G. Gough, for Pedine Realty Corporation, owner (Pequot Manufacturing Company, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings (under Section 36, General City Law).

PREMISES AFFECTED—Pequot road and 88th street, 851.49 ft. west of west side of 88th street and 617.42 ft. south of Cooper avenue (Block No. 3810, Lot No. 275), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Laid over to December 5, 1939, at 2 p.m. No appearance on behalf of applicant.

1368-39-A-WF.

APPLICANT—Austin W. Magee, for Fred J. Whitman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112-36 to 112-44 Roosevelt avenue, south side, 100 ft. west of 114th street (Block No. 2013, Lot Nos. 32 to 35 inclusive), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Laid over to December 5, 1939, at 2 p.m., for inspection by a committee of the board.

363-39-A.

APPLICANT — Henry Nordheim, for Emma Grossl, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 1999 Gleason avenue, north side, 100 ft. west of Pugsley avenue (Block No. 3793, Lot No. 55), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

ACTION OF BOARD—Appeal withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

931-39-A.

APPLICANT—William A. Lacerenza, for H. Barnett, Inc., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—568 Atlantic avenue (570 displayed), south side, 97 ft. 10 in. west of Fourth avenue (Block No. 186, Lot No. 32), Borough of Brooklyn.

APPEARANCES—

For Applicant—Christine Cascio.

ACTION OF BOARD—Appeal withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

1052-39-A.

APPLICANT—George Goldberg, Secretary of Boardwalk and Seashore Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—previously dismissed for lack of prosecution—re Appeal from decision of the borough superintendent of buildings.

PREMISES AFFECTED — Northwest corner of Beach 105th street and Parkway (Ocean Boardwalk); (Block No. 645, Lot No. 18), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: William Gold.

For Opposition: Harold Klorfein, dept. of parks.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal reopened and restored to Calendar, subject to usual procedure.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

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1234-39-A.

APPLICANT—Charles M. Hart, for Queensboro Bridge Railway Co., Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—19-80 Steinway street, northwest corner of 20th avenue (Block No. 811, part of Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: J. O. Hart.

ACTION OF BOARD—Request to reopen withdrawn, after argument.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1323-39-A.

APPLICANT — Isabelle F. Heroux, for Irma Gellin, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—257 13th street, north side, 97 ft. 10½ in. west of Fifth avenue (Block No. 1028, Lot No. 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ardell F. Hoff and Herman J. Hoff.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1361-39-A.

APPLICANT — Dominick Salvati, for Vincent Baratta, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1245 84th street, north side, 320 ft. west of 13th avenue (Block No. 6308, Lot No. 60), Borough of Brooklyn.

APPEARANCES—

For Applicant: Dominick Salvati.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Appeal withdrawn. Applicant to file a building zone application.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1413-39-A.

APPLICANT—J. G. Tripp, for Exner Realty Corporation (Exner Sand and Gravel Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 880 Zerega avenue, east side, 236.15 ft. south of Quimby avenue (Block No. 3702, Lot No. 101); Borough of The Bronx.

APPEARANCES—

For Applicant: J. G. Tripp.

ACTION OF BOARD—Appeal withdrawn, in view of reopening and action on Cal. No. 410-38-A.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1005-39-A.

APPLICANT — Alex Del Giorno, for Mary Fracchia, owner (Ferno Badagnani, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—22-71 33rd street, east side, 76 ft. 2¾ in. north of 23rd avenue (Block No. 832, Lot No. 2), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS FOR LACK OF PROSECUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1005-39-A)

WHEREAS, Alex Del Giorno, for Mary Fracchia, owner (Ferno Badagnani, lessee), filed June 27, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 22-71 33rd street, east side, 76 ft. 2¾ in. north of 23rd avenue (Block No. 832, Lot No. 2), Astoria, Borough of Queens; and

WHEREAS, when this appeal was called at the public hearing, no one appeared on behalf of the applicant.

Resolved, that the appeal be and it hereby is *dismissed for lack of prosecution*.

1037-39-A.

APPLICANT—The Korfund Company, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: S. Rosenzweig.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1037-39-A)

WHEREAS, The Korfund Company, Inc., owner, filed August 10, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises: 48-15 32nd place, east side, 150 ft. south of 48th avenue (Block No. 258, Lot No. 21), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 78674-C, undated, reads:

"3. Provide an oil burner of a type approved by the Board of Standards and Appeals, Rule 4.1, Fuel Oil Rules.

4. Discontinue the storage of fuel oil in the 50 gallon drum and provide an approved storage system. Rule 16.1, Fuel Oil Rules."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated August 4, 1939; and

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WHEREAS, the building is 3 stories (27 ft. 6 in.) in height, 60 ft. by 90 ft. in area, of Class 3 construction, erected in 1922, located in an unrestricted use district and occupied: Cellar—manufacture of machine parts and cork—12 persons; 1st floor, manufacture of cork specialties—6 persons; 2nd floor—offices; and

WHEREAS, the applicant contends as to Item 3, that the burner used is a type No. 211 single torch kerosene oil burner manufactured by Connery and Company; as to Item No. 4 of the order, that only a few gallons of kerosene are used each week and the installation of a storage tank would be a hardship; that the oil burner in question is used in connection with the operation of an asphalt tank which is placed in a separate building, separated by means of a steel door and originally the asphalt tank was operated in the main building and in compliance with an order of the fire department, was placed in a separate building; that the amount of kerosene stored in the pump does not exceed 5 gallons at any one time.

Resolved, that the order of the Fire Commissioner, No. 78674-C, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the kerosene storage tank shall not exceed a capacity of 5 gallons and shall be located entirely outside the building; that the oil burner shall be used only for the purposes as set forth and shall be installed in a fireproof enclosed room; that any opening therefrom to the balance of the building shall be protected by a fireproof self-closing door; that this modification shall continue only so long as the conditions set forth are continued.

1041-39-A.

APPLICANT—Harry Golin for Park of Edgewater, Inc., owner (Joseph J. Fischl, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings (under Section 35, General City Law re Bed of Mapped Street).

PREMISES AFFECTED—Southeast corner of Twiggs place and Fifth street (Block No. 5517, Lot No. 101), Park of Edgewater, Borough of The Bronx.

APPEARANCES—

For Applicant: Harry Golin and James Shaw.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1041-39-A)

WHEREAS, Harry Golin, for Park of Edgewater, Inc., owner, (Joseph J. Fischl, lessee), filed August 14, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises Twiggs place, 21.65 ft. east of its intersection with Longstreet avenue (Block No. 5517, Lot No. 101); (Unofficial house number, 21A Edgewater Park), Borough of The Bronx, for permission to erect a building in the bed of a mapped street, pursuant to Section 35 of the General City Law; and

WHEREAS, the decision of the borough superintendent, on Applic. No. 435-39, dated July 17, 1939, reads:

"7. Permission to erect a building in the bed of a mapped street must be obtained from the Board of Standards and Appeals. Sec. 35, General City Law."

and

WHEREAS, the proposed building will be one story (18 ft.) in height, 22 ft. by 36 ft. in area, of frame construction, located in an unrestricted "C" district, and occupied as a one family dwelling; and

WHEREAS, the applicant contends that the Park of Edgewater owns all of the land and streets contained in this area and pays taxes on the entire parcel including the streets to the City. The lessees own the buildings erected by them and which can be removed by them in accordance with the terms of their lease. The lessee affected herein,

is one of these tenants; that for fifteen years there has been a bungalow dwelling on the site in question; that the lessee now seeks to replace the old dwelling with a new one on the same site; that the site lies in the bed of a mapped street; that if the owner of the land were unable to use or rent the land affected herein for building purposes, it would work a serious hardship and prevent the owner from obtaining a fair return on its property; that all of the streets presently contained in the Park of Edgewater are private streets put in and maintained by the owner and none are owned by the City. Neither are there any proceedings pending nor have any proceedings been initiated by the City to acquire the streets affected herein for use as public streets; that no injury would be caused to the City of New York by granting the relief sought herein.

Resolved, that the decision of the borough superintendent, on Applic. No. 435-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 7, under powers granted the Board under section 35 of the General City Law, so as to permit the construction of the building as proposed in the bed of the mapped street, *on condition* that in the event the street is acquired by the City for opening, the building shall be removed by the owner without claiming damages therefor.

1253-39-A.

APPLICANT—Boris W. Dorfman, for R. Green, owner. SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—159-01 Hillside avenue, northeast corner of Parsons boulevard (Block No. 342, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Boris W. Dorfman.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief Walsh	3
Negative: Commissioner Savage	1

THE RESOLUTION—

(1253-39-A)

WHEREAS, Boris W. Dorfman, for R. Green, owner, filed October 11, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 159-01 Hillside avenue, northeast corner of Parsons boulevard (Block No. 342, Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated October 2, 1939, on Alteration Application No. 2154-1939, reads:

- "1. The 2nd tier in rear portion of building is too weak for office use.
2. Minimum required width of stairway, in accordance with present Code is 3 ft.
3. Stairway should be enclosed by partitions of one hour rating and doors of ¾ hour rating, from ground to floor."

and

WHEREAS, the decision of the borough superintendent on the same Alteration Application, dated November 3, 1939, reads:

- "4. Ventilation for the new toilet for women should comply with sec. 5.1.5.3 subsec. (a) of the Building Code."

and

WHEREAS, the building is three stories (35 ft.) in height, 20 ft. 6 in. by 50 ft. 2 in. in area, of Class 3 construction, located in a business use district, erected in 1916 and occupied: Cellar, storage; first floor, store; 2nd floor, 1 family; 3rd floor, 1 family; proposed to be occupied, Cellar, storage; 1st floor, store; 2nd floor, office, 8 persons; 3rd floor, 1 family; and

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WHEREAS, the applicant contends as to objection 1, that the second floor is capable of sustaining a live load of 78 pounds per square foot at the front and 62 pounds per foot at the rear; thus providing an average load of 70 pounds per square foot; that the number of employees on this floor will not exceed 8; that as to objection No. 2, stairs are 2 ft. 10 in. wide and it would be a hardship to be compelled to rebuild them in order to secure the two inches additional as required by the Code; that as to objection No. 3, the applicant proposed to have the rock-wool blown in between studs from 1st to third tiers and to provide ¾ hour doors between the office and hall; that as to objection No. 4, it is proposed to provide a galvanized iron duct from toilet, connecting to the existing ventilating shaft.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 2154-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Objections Nos. 1, 2 and 3, *on condition* that the floor load shall not be less than 40 lbs. per superficial foot; that the second story shall be used for office purposes only; that the occupancy of the second floor for employees and customers shall at no time exceed 15; and *denied* as to Objection No. 4; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable; and *granted* only so long as conditions as set forth exist and the building is occupied as proposed.

1254-39-A.

APPLICANT — Henry C. Brucker, for Mrs. Elizabeth Rogers, owner (Regular Democratic Organization of Glendale, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—67-46 to 67-52 Myrtle avenue and 302-306 68th street, southwest corner (Block No. 3702, Lot No. 25), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Kenneth O'Hare.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4

THE RESOLUTION—

(1254-39-A)

WHEREAS, Henry C. Brucker, for Mrs. Elizabeth Rogers, owner (Regular Democratic Organization of Glendale, Inc., lessee), filed October 11, 1939, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises: 67-46 to 67-52 Myrtle avenue, and 302-306 68th street, southeast corner (Block No. 3702, Lot No. 25), Glendale, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 11, 1939, on Miscellaneous Application 5588-39, reads:

"1. Inasmuch as the occupancy since previous application (Alt. 1914/38) has changed to bar and grill and a band stand indicates entertainment purposes, this building violates Sec. 12.1.1 and 12.1.2 and 12.2 N.B. Code.

2. The building being a two story frame structure violates Sec. 4.2.1 and Sec. 4.1.5 N.Y.B. Code."

and

WHEREAS, the building is two stories (25 ft.) in height, 45 ft. by 45 ft. irregular in area, of Class 4 construction, erected prior to April, 1870, located in a business use district occupied, Cellar; storage, boiler room; 1st floor, florist, carpenter shops; 2nd floor, dance hall, bar and grill, cabaret, custodians quarters, garage and office, 120 persons; and

WHEREAS, the applicant contends that from 1911 to the present time, this building or a portion of same, has been used as a place of public assembly and for dancing; that the construction of the building is such that the upper floor is not suitable for any purpose except that for which it was originally erected, as a dance hall and meeting hall; that the rent received from this portion of the building is necessary in order that sufficient income may be received to pay taxes; and

WHEREAS, this appeal was the subject of an inspection by a committee of the board, verbal report of which inspection recommended denial of the appeal.

Resolved, that the decision of the borough superintendent, re Miscellaneous Application, 5588-39, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

1290-39-A.

APPLICANT—Dr. Sigmund J. Rome, for Bluma Rome, adjoining property owner.

OWNER OF PREMISES—Louis Kamisher.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Alt. Applic. 840-39.

PREMISES AFFECTED—883 Eastern parkway, north side, 87 ft. east of Albany avenue (Block No. 1388, Lot No. 74), Borough of Brooklyn.

APPEARANCES—

For Applicant: Dr. Sigmund J. Rome.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4

THE RESOLUTION—

(1290-39-A)

WHEREAS, Dr. Sigmund J. Rome, for Bluma Rome, adjoining owner, filed on October 18, 1939, an application for revocation of Alteration Permit No. 840-39, affecting premises 883 Eastern parkway, north side, 87 ft. east of Albany avenue (Block No. 1388, Lot No. 74), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated October 13, 1939, on Alt. Applic. 840-39 reads:

"In response to your letter of October 13 requesting this Department to revoke the above mentioned application, we regret to advise that we are unable to comply with your request as said application complies with the law."

and

WHEREAS, the building is three stories (32 ft.) in height, 18 ft. 2½ in. by 60 ft. in area, on a lot 18 ft. 2½ in. by 75 ft. in area, of Class 3 construction; located partly in a business use district and partly in a residence use district; erected in 1915; Occupied: Cellar—storage; 1st floor—store; 2nd floor—one family; 3rd floor—one family; and

WHEREAS, the permit which it is sought to revoke, relates to the construction of a handball court in the rear yard of the premises in question, said handball court is now being constructed of concrete blocks, as shown on photographs filed with this appeal; and

WHEREAS, the applicant contends that the structure in question, blocks the windows of the adjoining owner; that there is insufficient space for the construction of the regulation size handball court; that the granting of the permit was due to a subterfuge and that the construction of said wall amounts to a spite fence and for these reasons the alteration permit should be revoked; and

WHEREAS, the premises in question were inspected by a committee of the Board; and

WHEREAS, it appeared to the Committee that the adjoining owner was entirely within his rights in erecting the

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wall of the handball court and showed a certificate issued by the Dept. of Buildings therefor, No. 265222, dated October 20, 1939, showing that the work of this handball court had been completed under Alteration Applic. No. 840-39.

Resolved, that the decision of the Borough Superintendent, dated October 13, 1939, refusing to revoke permit issued under Alt. Applic. No. 840-39 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1360-39-A.

APPLICANT—Bull Insular Line, Inc., for New York Dock Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—24-38 Columbia street, southwest corner of Pacific street (Block No. 287, part of Lot No. 68), Pier No. 23, East River, Borough of Brooklyn.

APPEARANCES—

For Applicant: L. E. Driver and E. J. Atkinson.

For Administration: Leo Lieberman, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1360-39-A)

WHEREAS, Bull Insular Line, Inc., for New York Dock Co., Inc. owner, filed on November 3, 1939, an appeal from an order of the fire commissioner, affecting premises: 24-38 Columbia street, southwest corner Pacific street (Block No. 287, part of Lot No. 68), Pier No. 23, East River, Borough of Brooklyn; and

WHEREAS, Order No. 81187-LC, issued by the fire commissioner October 3, 1939, reads:

"You are hereby notified that an inspection of the above premises, used to store Alcohol, etc., shows that the following must be done before the permit requested by you can be issued:

1. Provide a separate and distinct system of automatic sprinklers throughout building, having at least one source of water supply, arranged and equipped as provided in Article 16, Chapter 26, Administrative Code."

and

WHEREAS, the pier in question is 150 ft. front on Columbia street to a depth of 227 ft. 6 in., where it narrows to 87 ft. in width with an additional depth of 415 ft. 6 in.; one story in height; of Class III construction; located in an unrestricted use district; erected in 1919 and occupied for the storage and distribution of general cargo, 150 persons; and

WHEREAS, the applicant requests that the order be modified to permit continuation of handling alcohol in the in-shore section of the Pier, which is built on the upland and is enclosed with brick masonry walls with fire doors separating it from the balance of the structure. Until recently, the fire dept. has permitted the "storage" of 1500 drums; and conditions surrounding the handling of this cargo have not been changed or altered in any way. The existing fire appliances and equipment within the premises consist of fifteen standard fire tanks with six pails each; three-inch with two and one half inch branches, combination ship water supply and standpipe fireline; four 40-gallon chemical fire extinguishers mounted on wheels and housed in fireproof enclosures. In addition to the above, the premises have signs designating "No smoking" and the location of fire appliances and fire alarm boxes; National District Telegraph supervision with direct communication to City Fire Headquarters; watchmen on duty at all times during the day and night with employees designated for definite duty in event of fire.

Resolved, that Order No. 81187-LC of the fire commissioner, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the storage of alcohol in drums approved for such use by the Interstate Commerce Commissioner, as proposed, *on condition* that the storage shall at no time exceed 1500 drums; that the fire protection equipment shall be maintained as set forth; that the heater room on the premises shall be separated from the balance of the pier by fireproof construction; that the partition forming the office in this portion of the pier where alcohol is proposed to be stored, shall be protected on the inside by plaster board and on the exterior with sheet metal on sides and top; that the requirements as to flue shall comply with the resolution adopted by the Board under Cal. No. 31-37-A; that such louvres or ventilators shall be constructed to provide ventilation at all times as the fire commissioner shall direct.

1363-39-A.

APPLICANT — James J. Millman, for Anna Chodosh, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—936 Lenox road, south side, 60 ft. east of East 56th street (Block No. 4662, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Millman.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4

THE RESOLUTION—

(1363-39-A)

WHEREAS, James J. Millman, for Anna Chodosh, owner, filed November 6, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 936 Lenox road, south side, 60 ft. east of East 56th street (Block No. 4662, Lot No. 4), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 3571-39, dated November 1, 1939, reads:

"3. Building to comply with Section 8 for a thereafter erected multiple dwelling Class A and conform to Article 5. Not further considered."

and

WHEREAS, the building is 2 stories (25 ft.) in height, 20 ft. by 62 ft. in area, of class 3 construction, located in a residence use district, erected in 1932 and occupied: Cellar—storage and garage; 1st floor—one family; 2nd floor—one family; proposed to be occupied: Cellar—same; 1st floor—same; 2nd floor—two families; and

WHEREAS, the applicant contends because of the hardship of renting a six room apartment in this specific neighborhood, the original builder, who still owns the building, desires to subdivide the second floor apartment into two three room apartments; that the objections raised by the Department of Housing and Buildings is that the building, because it was erected two years after the Multiple Dwelling Law came into effect, is to comply with Section 8 and Article 5 of the Multiple Dwelling Law. The only obstacle is that the inner court has an area of 45½ square feet instead of 50 square feet; as these courts are adjoining they have a total area of 91 square feet instead of 100 square feet—a difference of 9 square feet; and

WHEREAS, the Board deemed that it is without power to act on this appeal, as it involves a modification of the Multiple Dwelling Law.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 3571-39, be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

MINUTES

1364-39-A.

APPLICANT — James J. Millman, for Anna Chodosh, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 938 Lenox road, south side, 80 ft. east of East 56th street (Block No. 4662, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Millman.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

THE RESOLUTION—

(1364-39-A)

WHEREAS, James J. Millman, for Anna Chodosh, owner, filed November 9, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 938 Lenox road, south side, 80 ft. east of East 56th street (Block No. 4662, Lot No. 5), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 3572-39, dated November 1, 1939, reads:

"3. Building to comply with Section 8 for a thereafter erected multiple dwelling Class A and to conform to Article 5. Not further considered."

and

WHEREAS, the building is 2 stories (25 ft.) in height, 20 ft. by 62 ft. in area, of class 3 construction, located in a residence use district, erected in 1932 and occupied: Cellar—storage and garage; 1st floor—one family; 2nd floor—one family; proposed to be occupied: Cellar—same; 1st floor—same; 2nd floor—two families; and

WHEREAS, the applicant contends because of the hardship of renting a six room apartment in this specific neighborhood, the original builder, who still owns the building, desires to subdivide the second floor apartment into two three room apartments; that the objections raised by the Department of Housing and Buildings is that the building, because it was erected two years after the Multiple Dwelling Law came into effect, is to comply with Section 8 and Article 5 of the Multiple Dwelling Law. The only obstacle is that the inner court has an area of 45½ sq. ft. instead of 50 sq. ft.; as these courts are adjoining they have a total area of 91 sq. ft., instead of 100 sq. ft.—a difference of 9 sq. ft.; and

WHEREAS, the Board deemed that it is without power to act on this appeal, as it involves a modification of the Multiple Dwelling Law.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 3572-39, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1409-39-A.

APPLICANT—Slee and Bryson, for Vanderveer Building Co., Inc., owner (Flatbush Federal Savings and Loan Association of Brooklyn, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 2142-2152 Nostrand avenue, southwest corner of Flatbush avenue (Block No. 7557, Lot No. 130), Borough of Brooklyn.

APPEARANCES—

For Applicant: John B. Slee and C. Elmer Blomberg.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1409-39-A)

WHEREAS, Slee and Bryson, for Vanderveer Building Co., Inc., owner (Flatbush Federal Savings and Loan Association of Brooklyn, lessee), filed on November 16, 1939, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises: 2142-2152 Nostrand avenue, southwest corner Flatbush avenue (Block No. 7557, Lot No. 130), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent, on Alt. Applic. No. 4895-39, dated November 15, 1939, reads:

"1. 4 inch ornamental marble projection beyond bldg. line as shown on plans, not permitted by Bldg. Code. Sec. C26-2190. Application is hereby denied."

and

WHEREAS, the building is one story (15 ft.) in height, 18 ft. 1 in., fronting on Nostrand avenue, running through to Germania place; of Class III construction; located in a business use district; erected in 1923 and occupied: Cellar, boilerroom; 1st floor, offices and stores, 15 persons; and

WHEREAS, it is proposed to convert the occupancy of portion of the building (No. 2146 Nostrand avenue), by removing the existing Nostrand avenue and Germania place store fronts and all interior partitions, plumbing fixtures, and by installing new fronts, partitions and plumbing fixtures, as shown on plans filed with this appeal. The proposed occupancy will be offices for the Flatbush Federal Savings and Loan Association, prospective lessee. The main entrance will be from Nostrand avenue. It is proposed to remove the existing store front on Nostrand avenue, allowing the two side bonded brick piers, steel girder and brick parapet wall to remain. Against the existing beams and parapet wall, the faces of which are on the building line and against new masonry backing walls, it is proposed to erect a 3-inch marble veneer anchored to the existing and new brickwork, in accordance with Section 8.4.6.1.3 of the Building Code and supported on existing foundation wall by means of small cantilever beams. The marble veneer will project less than 4 inches from the building line and be approximately 18 ft. wide and 18 ft. in height; that Section 2.4.1.4.7 permits rustication and quoins projecting beyond the building line a maximum of four inches; that all the projections are to be erected purely for ornamental reasons.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 4895-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the projections beyond the building line on Nostrand avenue do not exceed that permitted under the Building Code, except that the proposed marble ashlar may extend not more than 4 inches beyond the building line as permitted for rustication and *granted* only so long as the building is occupied by the proposed tenant.

187-35-A.

APPLICANT—New York Dock Company, owner.

SUBJECT — Application for consideration—reopening and extension of time—re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—Pier No. 38, Clinton Wharf, Atlantic Basin (Block No. 515, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: L. E. Driver and C. E. Hicks.

ACTION OF BOARD—Appeal reopened and time extended.

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THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(187-35-A)

WHEREAS, L. E. Driver, for New York Dock Company, owner, filed, June 27, 1935, an appeal from a decision of the commissioner of buildings, affecting premises Pier No. 38, Clinton Wharf, Atlantic Basin (Block No. 515, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the commissioner of buildings, dated May 15, 1935 (Applic. No. 2413-1935), reads:

"4. Provide an adequate sprinkler system, installation to conform to rules of the Board of Standards and Appeals as per objection No. 4 of March 27, 1935." and

WHEREAS, the premises in question consist of a pier, located 1,000 ft. west of the corner formed by the intersection of Clinton Wharf and Conover street and extending into the Atlantic Basin; the pier being 905 ft. 6 in. but approximately 165 ft. in width; having a wood and also concrete decking and erected thereon is a shed having a wood roof and corrugated metal sides—carried on steel columns; the area of the shed is 140,400 sq. ft.; and

WHEREAS, this appeal was denied by the board at its meeting, July 16, 1935; and

WHEREAS, appellant then proposed to install a sprinkler system and requested a modification of the rules of the board as to the sprinkler requirements; and

WHEREAS, this appeal was reopened, November 26, 1935, granted on condition, time extended March 10, 1936 and December 14, 1937 and appellant requested a further extension of time.

Resolved, that the decision of the commissioner of buildings under App. No. 2413-1935, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed a dry-pipe sprinkler system, as indicated on plans marked "Received November 13, 1935," controlled by a 6-in. dry pipe valve at the shore end and fed from the existing 6-in. water line from King street and connected on the shore end side of the T connection to the standpipe system; that there shall be installed at each of the seven intersections of the main feed line and its branches a check valve to retain air in each individual section; that there shall be installed at both the in-shore and out-shore ends an automatic exhaustor of the type manufactured by Grinnell Company or the Star Sprinkler Corporation, which will also be arranged for manual control; that the piping arrangement as shown on plans marked "Received November 13, 1935" is hereby approved as to spacing and size in view of approval obtained and filed at this hearing, indicating that this layout has been approved by the New York Fire Insurance Exchange as to pipe sizes and spacing; and, *granted on the further condition* that within a period of two years from the date of this amended resolution there shall be installed an 8-inch main for water supply all solely for the sprinkler system and that at that time the 6-in. dry pipe valve shall be removed and there shall be installed instead dry-pipe valves of the proper size at each of the seven (7) intersections of the main and branch lines and that a live steam main shall be carried for the full length of the pier alongside the main feed line and properly frost-proofed, so that there will be water at all times over the full length of the pier in the main feed line; that this system shall at all times be maintained as a wet system except during the freezing months; that nothing herein contained shall interfere with this system being arranged completely to comply in all respects with the requirements of the rules of the Board of Standards and Appeals; that the standpipe system shall be maintained and that the combined night watchman's control and fire alarm box with central office connections shall be maintained at all times; that all work shall be completed within three months from the date of this amended resolution.

220-36-A.

APPLICANT—S. Walter Katz, for Rapid Cutting Company, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—161-165 Franklin avenue, east side, 111 ft. 10 in. south of Myrtle avenue (Block No. 1913, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: S. Walter Katz.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(220-36-A)

WHEREAS, William S. Webb, for Central Presbyterian Church, owner, filed July 9, 1936, an appeal from decisions of the commissioner of buildings and the board of buildings, affecting premises 161-165 Franklin avenue, east side, 111 ft. 10 in. south of Myrtle avenue (Block No. 1913, Lot No. 6), Borough of Brooklyn; and

WHEREAS, this appeal was granted by the Board June 13, 1936, on certain conditions, resolution amended March 22, 1938 and applicant requests a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 13, 1936, as amended by resolution adopted by the Board on March 22, 1938, only so far as it has reference to the provision that there shall be a distance of at least 10 feet between this building and that on the adjacent lot, so that as amended, the resolution shall read:

"*Resolved*, that the decision of the commissioner of buildings be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the building to be used as a storage building, *on condition* that the building shall not be increased in height or area; that there shall be a distance of at least 10 ft. between this building and building on the adjacent lots; that the exits shall be made to conform to the legal requirements; that such portable fire-fighting appliances shall be installed as the commissioner shall direct; and that this use and occupancy shall be subject to review by this board if the board should determine that the conditions have become hazardous. . . . Nothing herein contained, however, shall be deemed to preclude voluntary installation of a sprinkler system.

Resolved further, that in the event the sprinkler system is installed in this building, complying with the requirements of the Sprinkler Rules of the Board of Standards and Appeals and the owner desires to occupy the building for factory purposes, such use may be permitted, provided a sprinkler system is maintained and the building and occupancy in all other respects comply with the requirements of the State Labor Law and all other rules, laws and regulations applicable to the construction of the building and its occupancy.

Resolved further, that nothing in this resolution shall interfere with the construction of a connecting passage between the building under appeal and the building on the adjacent lot, provided such passage is constructed with fireproof materials and that the doors from such passage to each building shall be as approved for 1½-hour; that there shall be no windows installed in the walls of such passage."

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410-38-A.

APPLICANT—J. G. Tripp, for Exner Realty Corporation (Exner Sand and Gravel Corporation, lessee).

SUBJECT—Application for reopening—amendment—re appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—880 Zerega avenue, east side, 236.15 ft. south of Quimby avenue (Block No. 3702, Lot No. 101), Borough of The Bronx.

APPEARANCES—

For Applicant: J. G. Tripp.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(410-38-A)

WHEREAS, William W. Schwartz for Exner Sand and Gravel Corporation, owner, filed on May 26, 1938, an appeal from a decision of the borough superintendent of buildings, Department of Housing and Buildings, affecting premises: 880 Zerega avenue, east side, 236.15 ft. south of Quimby avenue (Block No. 3704, Lot No. 1), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent on N.B. Application No. 157-1938, dated May 25, 1938, reads:

"1. As building exceeds 15,000 sq. ft. in area and 30 ft. in height, same is contrary to section C26-254.0 of the Administrative Code, in reference to Class 5, metal buildings."

and

WHEREAS, the proposed building will be 1 and 5 stories, 20 ft. and 85 ft. in height, 66 ft. 11 in. by 203 ft. 8 in. in area, of metal construction (Class 5), located in an unrestricted use district and occupied as follows: Sand, gravel and slag screening and storage, 2 persons; and

WHEREAS, the applicant contends that the exterior walls will be constructed of structural steel and 18 gauge corrugated sheet steel and the floors of slow burning mill construction, composed of 6 in. by 10 in. timbers supported on steel girders and 3 in. plank flooring, splined; that the screening and filling of bins will be done automatically by machinery; that 76% of the area of the building will be 20 ft. high, and 24% will be 85 ft. high, composed of two towers over storage bins; that the proposed use for the storage of building materials should place this building under Class 6 of section C26-254.0 of the Administrative Code, which would allow greater heights and areas than Class 5; that the material stored is non-combustible; and

WHEREAS, this appeal was granted by the Board June 7, 1938, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the Board on June 7, 1938, be and it hereby is amended, so that as amended, it shall read:

"Resolved, that the decision of the borough superintendent in acting on N.B. Applic. No. 157-38 be and it hereby is modified and that the application be and it hereby is granted, on condition that the building shall not exceed in area and height that shown on the plans filed with N.B. Application 157-38 and, granted only so far as it shall be used for the purpose herein specified, as a plant for sand and gravel and that no portion of the building shall be nearer than 20 ft. to either side lot line; that in all other respects all laws, rules and regulations applying to this building and occupancy shall be complied with.

Resolved further, that in the event the owner desires to make changes in the proposed buildings, as indi-

cated on revised plans filed under N.B. Applic. No. 1030-39, such changes may be permitted, provided generally the requirements of the resolution adopted on June 7, 1938 are complied with and that no standpipe system need be installed, provided such portable fire-fighting appliances are installed as the fire commissioner shall direct and that the exiting facilities, as shown on such new building application, may be accepted in lieu of the requirements of article 7 of the Building Code, in view of the statement that the occupancy within the building at no time will exceed 5 persons."

759-39-A.

APPLICANT—Robert F. Schirmer, for Mrs. A. S. G. Fitter, owner.

SUBJECT—Application for consideration—reopening and rescindment of resolution—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—85-09 94th street, east side, 80.08 ft. north of 85th road (Block No. 8888, Lot No. 47), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Robert F. Schirmer.

ACTION OF BOARD—Resolution of July 5, 1939, rescinded.

THE VOTE TO RESCIND RESOLUTION OF JULY 5, 1939—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(759-39-A)

WHEREAS, Robert F. Schirmer, for Mrs. A. S. G. Fitter, owner, filed June 8, 1939, an appeal from a decision of the Borough Superintendent of buildings, affecting premises 85-09 94th street, east side, 80.08 ft. north of 85th road (Block No. 8888, Lot No. 47), Woodhaven, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, re Alt. App. No. 1289-39, dated June 5, 1939, reads:

"1. Proposed use of more than two stories for living quarters in two family residence frame buildings is contrary to Sec. 8.7.2.1. B.C.

Plans and application not further considered."

and

WHEREAS, the building is of frame construction; two stories (30 ft.) in height, 22 ft. by 47 ft. at 1st story, 22 ft. by 39 ft. above; located in a residence use district; erected about 1910 and occupied: cellar—heating plant; 1st, 2nd and 3rd floors, one family dwelling, 4 persons; it is proposed to change the occupancy as follows: 1st story—apartment, 2 persons; 2nd floor, apartment, 2 persons; 3rd (attic) floor, two rooms to be occupied in connection with 1st floor apartment as sleeping rooms only, 2 persons; and

WHEREAS, the applicant contends that a bathroom will be installed on the 1st floor and on the 2nd floor the existing bathroom will be changed to a kitchen; that the owner is willing to provide a fire escape as a second means of egress from the attic and respectfully requests a modification; and

WHEREAS, this appeal was granted by the Board July 5, 1939, the following resolution being adopted:

"Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 1289-39, be and it hereby is modified, and that the appeal be and it hereby is granted, permitting the building to be occupied for not over two families, on condition that an agreement shall be signed by the owner and filed with the borough superintendent of buildings to the effect that at no time will the building be occupied by more than two families, one occupying the 1st floor and attic and one family on the 2nd floor; that no cooking shall be done

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in the attic story; that the building shall not be increased in height or area; that the lot will not be reduced; that an exit shall be provided from the attic story, which may be an exterior fire-escape or ladder reaching to the roof of the second story addition and thence by means of a drop ladder or counter-balanced ladder to grade; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

and

WHEREAS, the applicant requested the rescindment of the resolution adopted July 5, 1939, varying the requirement of the Building Code, in view of a general order of the Commissioner of Buildings interpreting the Code, so as to permit the occupancy of the attic story as prohibited by the Code.

Resolved, that the Board of Standards and Appeals does hereby rescind its resolution of July 5, 1939.

1088-39-A.

APPLICANT—Croker Fire Prevention Corporation, for Lynwood Nursing Home, Inc. (lessee), for Richland Estates, Inc., owner.

SUBJECT—Application for consideration—reopening and reconsideration on a new proposal—re Appeal from an order of the fire commissioner (previously denied).

PREMISES AFFECTED—306 West 102nd street, south side, 125 ft. west of West End avenue (Block No. 1889, Lot No. 64), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Appeal reopened and granted on condition.

THE VOTE TO REOPEN AND GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1088-39-A)

WHEREAS, Lynwood Nursing Home, Inc. (lessee) for Richland Estates, Inc., owner, filed September 1, 1939, an appeal from an order of the fire commissioner affecting premises 306 West 102nd street, south side, 125 ft. west of West End avenue (Block No. 1889, Lot No. 64), Borough of Manhattan; and

WHEREAS, Order No. 5366-LF, issued by the fire commissioner August 2, 1939, reads:

"Install an adequate interior electric fire alarm system in accordance with the rules of the Board of Standards and Appeals, and the enclosed approved layout 487e-2.0.c-1 Adm. Code.

2. Comply with one of the following alternatives required by Section 487e-2.0 c-2 of the Adm. Code.

(a) Provide a watchman who shall visit every portion of the premises and install an improved system of time detectors to properly record the movements of the watchman, or

(b) Provide an approved automatic thermostatic fire alarm system to cover all portions of the premises. This equipment shall be local in character and shall be connected to the interior fire alarm system installed in the hospital.

If the automatic thermostatic fire alarm system (required by alternative b) is installed, all work shall be done in accordance with the regulations of the Fire Department and plans in duplicate showing the location and number of thermostatic devices shall be filed with and approved by the division of Fire Prevention, Fire Department, before the work of installation may be commenced.

3. Provide telegraphic communication with the Fire Department headquarters, as provided for by the Administrative Code. Section 487e-2.0b."

and

WHEREAS, the building is 6 stories (75 ft.) in height, 25 ft. by 100 ft. in area, of fireproof construction, erected in 1902 located in a residence use district and occupied, Cellar, kitchen, boiler room, storage and morgue; 1st floor, offices, nurses apartment and two patients; 2nd floor, 7 rooms, 8 patients; 3rd floor, 7 rooms, 7 patients; 4th floor, 7 rooms, 7 patients; 5th floor, 7 rooms, 7 patients; 6th floor, 7 rooms, 7 patients; and

WHEREAS, the applicant contends that it will be a hardship to be compelled to comply with the order; that the building is equipped with fire-escapes on each floor and Pyrene fire extinguishers and sand pails in the boiler room and kitchen; that there is a staff of 10 employees and nurses during the day and two nurses constantly on duty during the night; that there is one coin box and one non-coin box type telephone on the premises; and

WHEREAS, this appeal was denied by the Board October 24, 1939 and applicant requested a reopening of the case; and

WHEREAS, this appeal was reopened by vote of the Board.

Resolved, that the Board of Standards and Appeals does hereby reverse its action of October 24, 1939, so that the resolution shall read:

"Resolved, that the order of the Fire Commissioner, No. 5366-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition*, as to Objection No. 3, that there be located at the corner of West End avenue and 103rd street and also at the corner of 101st street and West End avenue, a fire alarm box; that there shall be maintained on the premises at all times, a non-coin type of telephone, conveniently located and that there shall be posted a framed notice, prominently exhibited, giving the location of the two nearest fire alarm boxes; and, *on condition* that Items 1 and 2 of such order shall be complied with."

VARIATION OF LABOR LAW

1438-39-S.

APPLICANT—Arthur Weiser, for Owenjay Realty Co., Inc., owner.

SUBJECT—Variation of the labor law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—18-20 East 50th street, south side, 70 ft. west of Madison avenue (Block No. 1285, Lot No. 59), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur Weiser.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1438-39-S)

WHEREAS, Arthur Weiser, for Owenjay Realty Co. Inc., owner, filed November 24, 1939, an application for a variation of the Labor Law as cited in a decision of the Borough Superintendent of Buildings, affecting premises: 18-20 East 50th street, south side, 70 ft. west of Madison avenue (Block No. 1285, Lot No. 59), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on Alteration Application No. 2784-1939, dated November 21, 1939, reads:

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"2. Comply with section 264 Labor Law for construction of fireproof factory buildings. Building erected after October, 1912. Fireproof windows as per Labor Law, Industrial Code, 2-inch fireproof required for steel.

3. Exits required as per section 270 Labor Law for new Labor Law buildings. See objection No. 1 above. Fire tower required. Exit doors should open outwardly 3 ft. 8 in. doors required."

WHEREAS, the building is 11 stories (150 ft.) in height, 56 ft. 2 in. by 100 ft. 8 in. in area, of class 1 construction, located in a restricted retail use district, erected in 1915 and proposed to be occupied throughout as showroom, offices and light manufacturing, 35 persons per floor; and

WHEREAS, the building is equipped with a 2 source-sprinkler system, one interior 3 ft. 8 inch fireproof stairs and one exterior screened stairs located at rear of the building with egress from termination at mezzanine story by fireproof passageway direct to the street; and

WHEREAS, the applicant contends, as to Objection No. 2, the fireproofing on steel is 1½ inches instead of 2 inches as required by the Labor Law; the fireproof floors are surfaced with wood on sleepers laid on cinders; front windows are double hung wood frames and sash, glazed with plain glass of sizes as shown on plans filed with this application; that the windows on the rear are fireproof glazed with wire-glass, but not self-closing, with lights the size as shown on plans filed; as to objection No. 3, that in lieu of the fire-tower required by the Labor Law, an exterior iron stair case 44 inches wide with 7½ inch risers and 10 inch treads has been provided, extending to roof, with fireproof doors on the course and leading at the mezzanine to a fireproof enclosed passage to the street; that the building was originally erected for single occupancy; that the proposed factory occupancy will be limited to 25% and the merchandise so manufactured will be incidental to the retail business, or 5% when the merchandise manufactured is not incidental to the retail business; that it is proposed to limit the number of occupants to the legal occupancy for the interior stairs.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. Applic. 2784-39, as to Objection No. 2, and that the application be and it hereby is *granted on condition* that all windows on the side lot line and rear shall be fireproof, complying with the requirements of the Labor Law therefor and shall be made self-closing; that the windows on the front of the building at the 2nd floor level shall have steel sash with no light of glass exceeding the size indicated, namely 12 in. by 18 in.; that such glass may be clear, double-thick; that from the 2nd floor upward, the existing wood sash may be retained, provided the divisions are as indicated, with no light of glass larger than 14 in. by 18 in.; that such windows need not be made self-closing; that the fireproofing on steel shall be not less than 2 inches throughout, except that on the floor beams such fireproofing shall be not less than 1½ inches; that the existing means of exit, consisting of an interior enclosed stairway and exterior steel stairway, may be accepted as complying with the requirements of the Labor Law, provided the two-source sprinkler system is maintained throughout the building and the exit from the exterior stairway shall be maintained with a fireproof passageway to street; that the occupancy per floor shall be limited to the legal capacity of the interior enclosed stairway; that the central office connection with the sprinkler system shall be maintained as well as the interior fire alarm system; that in all other respects the building and occupancy shall comply with the requirements of the Zoning Resolution, the State Labor Law and all other laws, rules and regulations applicable thereto.

MATERIALS SUBMITTED FOR APPROVAL

864-39-SM.

APPLICANT—Edison Cement Corporation, owner.

SUBJECT—Edison Sulphate Resistant Portland Cement, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

432-38-SM.

APPLICANT—Lehigh Portland Cement Company, owner.

SUBJECT—Application for reopening—amendment—Lehigh Mortar Cement, manufactured by Lehigh Mortar Cement Company.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, report of committee amended and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(432-38-SM)

WHEREAS, Lehigh Portland Cement Company, owner, filed June 1, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Lehigh Mortar Cement; and

WHEREAS, this material was submitted to a committee of the Board for test and report; and

WHEREAS, the report of the committee of the board is as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 432-38-SM.

Subject: Lehigh Mortar Cement.

July 14, 1938.

The Lehigh Portland Cement Company of New York, filed with the board on June 1, 1938, a request for the approval of their material known as Lehigh Mortar Cement for use as a mortar under the pertinent sections of the administrative code for this type of material.

This material is composed of Portland Cement, clinker, gypsum and screened limestone, ground intimately together. Tallow containing free fatty acids is then added as a waterproofing agency. A flow sheet showing the process of manufacture and an estimate of the supply of raw materials on hand indicate that the homogeneity of this product can be maintained for at least 20 years. This material was tested by the board at the plant of the manufacturer at Ormond, Pa., on July 7, 1938, and supplemented with a chemical analysis furnished by the applicant, with results as follows:

Test for	Mfrs. Test.	Fed. Spec.	SS-C-181a
Fineness	99.8%	Minimum	88%
Setting (Initial	4 hrs. 15 min.	Minimum	60 min.
Time (Final	6 hrs. 30 min.	Maximum	48 hrs.
Soundness	Sound		Sound

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Compressive		
Strength (7 days)	1213 p.s.i.	500 p.s.i.
2" cubes (28 days)	1359 p.s.i.	1000 p.s.i.
Water retention	77%	Minimum 65%
Water repellancy	0.30	Maximum 0.90
Tensile (7 days)	227 p.s.i.	_____
Strength (28 days)	259 p.s.i.	_____

In addition to these tests, a test was performed in accordance with A.S.T.M. C91-32T, with results as follows: 7 days, 1901 p.s.i., as against 275 p.s.i. minimum required and for 28 days, 2376 p.s.i., as against no less than 275 p.s.i. required.

The tension tests were performed on a Riehle Tension Testing machine and the compression tests were performed in a Southwick Emery hydraulic machine, capacity 90,000 lbs.

These tests fully meet the requirements of A.S.T.M. C91-32T and the Federal Specifications SS-C-181a, SS-C-181b, and it is accordingly recommended that Lehigh Mortar Cement, as manufactured by the Lehigh Portland Cement Co., Allentown, Pa., be approved for use in New York City as a masonry mortar under sections C-26-312.0, Paragraph 2, of the Administrative Code (7.1.1.7.3) and C26-314.0 Administrative Code (7.1.1.9). This material is not to be accepted as a substitute for cement mortar under sections C26-418.0 of the administrative Code (8.4.1.6), but its use may be permitted where mortar other than cement mortar is permitted. This material is packed in 70-lb paper bags, each bag containing one cubic foot.

It is recommended that the bags in which this material is marketed be labeled or marked "Approved by the Board of Standards and Appeals under Cal. No. 432-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this material was approved by the Board July 20, 1938, and applicant requested an amendment of the resolutions; and

WHEREAS, the report of the committee on Tests read:

REPORT OF COMMITTEE ON TESTS

December 8, 1939

(Cal. 432-38-SM)

Subject: Lehigh Mortar Cement, Reopening and amendment of Report and resolution.

On July 20, 1938, on recommendation of the committee on tests, the Board approved Lehigh Mortar Cement for use in New York City pursuant to sections C26-312.0 paragraph 2 and C26-314.0 of the Administrative Code, precluding however, its acceptance as a substitute for cement mortar under the then section C26-418.0 of the Administrative Code.

Section C26-418.0 of the Administrative Code has since been amended so as to permit the use of this material without the previous limitations.

On September 29, 1939 in view of such amendment to the Administrative Code the applicant requested amendment of the Board's approval resolution so as to eliminate the limitation placed on the use of this material in accordance with section C26-418.0 prior to its amendment.

It is accordingly recommended that the resolution of approval adopted by the Board July 20, 1938 and the report of the Committee on tests contained therein, be amended and that Lehigh Mortar Cement as manufactured by the applicant at Ormond, Pa. be approved pursuant to section C26-312.0 c2 of the Administrative

Code for use in New York City under the provisions of Section C26-313.0 Paragraphs B-2, C and D and section C26-418.0 of the Administrative Code as amended by local law No. 60 adopted November 10, 1938.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, those reports recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Lehigh Mortar Cement, *on condition* that the material be manufactured, used and labelled, stamped or tagged in accordance with above reports.

811-38-SM.

APPLICANT—The Treetex Corporation, owner.

SUBJECT—Evenaire Insulating Wallboard Lath—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Reopened; restored to calendar. Material approved in accordance with report of committee on tests.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(811-38-SM)

WHEREAS, the Treetex Corporation of New York City, owner, filed June 6, 1938, an application with the Board of Standards and Appeals for approval of the material, known as Evenaire Insulating Wall Board Lath; and

WHEREAS, this application was withdrawn July 18, 1939, and restored to Calendar by vote of the Board; and

WHEREAS, this material, was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

November 27, 1939

Re: Cal. No. 811-38-SM

Subject: Evenaire Insulating Wallboard Lath.

The Treetex Corporation of New York City, filed on June 6, 1938 an application with the Board for the approval of a *specific shipment* of 250,000 sq. ft. out of a shipment of 501,788 sq. ft. of 1/2 inch Evenaire Insulating Plaster Base which arrived on the S.S. Brosund and each package identified with marking reading "GN."

Samples of this material were selected from this shipment by a representative of the Board and delivered to Columbia University for testing in accordance with

MINUTES

the requirements of Insulating Fibre Board Rules. The results of these tests indicate the material is suitable for use as a plaster base (See Columbia Report on Specimens 67840-49, 67918, 67913-17 filed with this application).

On the basis of these tests the Committee recommends that 250,000 sq. ft. of Evenaire Insulating Plaster Base $\frac{1}{2}$ inch thickness and identified with the mark "GN" which arrived on the SS Brosund, be approved for use as a plaster base when used and installed in accordance with the requirements of the Insulating Fibre Board Rules of the Board of Standards and Appeals.

It is further recommended that each package be marked, tagged, labelled or stamped, reading under the mark "GN" as follows: "Approved for use in New York City by the Board of Standards and Appeals as a plaster base under Cal. No. 811-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner
CHARLES M. BLUM,
Commissioner
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Evenaire Insulating Wallboard Lath, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

Adjourned, 5:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939.

(1139-39-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Building Code (2.2.1.1) and C26-610.0 Administrative Building Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Building Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Building Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough

Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9 (7.2.3.1 to 7.2.3.9 inclusive).

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labels.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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Minutes of Regular Meeting December 5, 1939, at 2 P. M., Affecting Calendar Numbers 855-27-BZ, 71-35-BZ, 562-37-BZ, 317-38-BZ, 330-33-BZ, 1342-39-A, 1288-39-A, 1306-39-A, 1355-39-A, 1368-39-A-WF, 1451-39-A, 1466-39-A, 396-39-A-WF, 110-36-SA, 23-37-SA, 248-37-SA, 1010-39-SM, 1225-39-SM, 990-39-SM, 1123-39-SM and 1319-39-SM.

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Paint, Varnish and Lacquer Spraying Rules.

Approved Paint, Varnish and Lacquer Spraying Equipment.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

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1449-39-S.....H.B.B.....25 Carroll street, north side, 200 ft. east of Van Brunt street (Block No. 347, Lot No. 53), Borough of Brooklyn, Viol. 1149-39 and Decision.

1450-39-A.....H.B.Q.....58-45 186th street, east side, 440 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Flushing, Borough of Queens, N.B. 8783-39 and N.B. 9371-39.

1451-39-A.....H.B.M.....148-150 West 53rd street, south side, 191.75 ft. east of Seventh avenue (Block No. 1005, part of Lot No. 53), Borough of Manhattan, Decision.

1452-39-A.....F.D.....64-68 Broad street and 31 Beaver street, northwest corner (Block No. 24, Lot No. 1), Borough of Manhattan, 5514-L.F. and Decision.

1453-39-A.....H.B.Q.....165-18 South road, south side, 110.63 ft. east of 165th street (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens, Misc. Applic. 9220-39.

1454-39-A.....F.D.....1-11 Rockwell place and 84-94 DeKalb avenue, southeast corner (Block No. 2095, Lot No. 20), Borough of Brooklyn, 2501-L.F. and Decision.

1455-39-SM.....Williamsburg One and One Half Hour Fire Door, manufactured by Williamsburg Fireproof Products Corporation, Material.

1456-39-A.....H.B.Q.....North side of Cross Island parkway, 620 ft. west of Douglaston parkway (Block No. 7720, Lot No. 100), Douglaston, Borough of Queens, Misc. Applic. 8383-39.

1457-39-A.....H.B.Q.....West side of Cross Island parkway, 250 ft. north of West Alley road (Block No. 7720, Lot No. 1), Douglaston, Borough of Queens, Misc. Applic. 8384-39.

1458-39-A.....F.D.....754-764 Pacific street, south side, 120 ft. east of Sixth avenue and Carlton avenue (Block No. 1129, Lot No. 13), Borough of Brooklyn, 3262-L.F. and Decision.

1459-39-A.....H.B.M.....536-546 West 23rd street, south side, 225 ft. east of Eleventh avenue (Block No. 694, Lot No. 58), Borough of Manhattan, Misc. Applic. 971-39.

1460-39-BZ.....H.B.Q.....142-33 Roosevelt avenue, north side, 184 ft. west of Bowne street (Block No. 5020 (847), Lot No. 43), Flushing, Borough of Queens, Misc. Applic. 8862-39.

1461-39-A.....H.B.Q.....143-49 Barclay avenue, north side, 100 ft. northwest of Parsons boulevard (Block No. 885, Lot No. 37), Flushing, Borough of Queens, M Applic. 7300-39.

1462-39-SM.....Abati (Powder Compound used for Flooring, Wainscoting, etc.), manufactured by Abati Corporation, Material.

1463-39-BZ.....H.B.Q.....143-51 Roosevelt avenue, west side, 150 ft. west of Parsons boulevard (Block No. 5022 (849), Lot No. 44), Flushing, Borough of Queens, Misc. Applic. 166-39.

1464-39-GR.....Re Approval of Inspection Agencies under Rules adopted Cal. No. 1139-39-SM, General Resolution.

1465-39-BZ.....H.B.M.....350-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56), Borough of Manhattan, N.B. 211-39.

1466-39-A.....H.B.Q.....19-80 Steinway street, northwest corner of 20th avenue (Block No. 811, part of Lot No. 1), Long Island City, Borough of Queens, Misc. Applic. 7146-39.

1467-39-A.....F.D.....135-139 West 26th street, north side, 375 ft. west of Sixth avenue (Block No. 802, Lot No. 19), Borough of Manhattan, 5551-L.F. and Decision.

1468-39-BZ.....H.B.Q.....92-02 to 92-10 182nd place and 181-14 to 181-30 Jamaica avenue, southwest corner (Block No. 10324, Lot Nos. 4 and 8), Hollis, Borough of Queens, Alt. 2600-39.

1469-39-BZ.....H.B.Q.....78-02 Roosevelt avenue, southeast corner of 77th street (Block No. 1488, Lot No. 1), Jackson Heights, Borough of Queens, N.B. 6609-39.

1470-39-BZ.....H.B.B.....2902 - 2912 Ocean parkway, southwest corner of Neptune avenue (Block No. 7276, Lot No. 15), Borough of Brooklyn, N.B. 3072-39.

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No. 47), Borough of Brooklyn, 2909-L.F. and Decision.

1472-39-A.....F.D.....70-76 Commercial street, southeast corner of Box street (Block No. 2482, Lot No. 16), Borough of Brooklyn, Decision re 76771-L.C.

1473-39-A.....F.D.....Transportation and sale of gasoline in Tank Trucks in New York City, Decisions re: 18922-L.C., 18923-L.C., 18924-L.C., 18933-L.C., 18938-L.C., and 18939-L.C.

1474-39-BZ.....H.B.Q.....176-54 Union turnpike and 80-07 Utopia parkway, southeast corner (Block No. 7227, part of Lot No. 1), Jamaica, Borough of Queens, N.B. 8851-39.

1475-39-A.....F.D.....234 East 54th street, west side, 260 ft. south of Linden boulevard (Block No. 4679, Lot No. 19), Borough of Brooklyn, 81615-L.C.

1476-39-A.....H.B.Q.....120-87 Queens boulevard, northwest corner of 82nd avenue (Block No. 2274, Lot No. 74), Kew Gardens, Borough of Queens, N.B. 8757-39.

1477-39-SM.....Chelsea Dumbwaiter Door, Counter-balanced or bi-parting, manufactured by Chelsea Elevator Company, Material.

1478-39-BZ.....H.B.Q.....175-01 to 175-65 Hillside avenue, northeast corner of 175th street and North side of Hillside avenue from Edgerton avenue to 175th street (Block No. 927, Lot No. 1 and part of Lot Nos. 3, 16 and 18), Jamaica, Borough of Queens, Misc. Applic. 5640-39.

1479-39-BZ.....H.B.B.....2525-2531 Linden boulevard and 191-193 Holly street, northeast corner (Block No. 4483A, Lot Nos. 53 and 54), Borough of Brooklyn, N.B. 2387-39.

1480-39-A.....H.B.Q.....73-03, 73-07 and 73-11 185th street, southeast corner of 73rd avenue and East side of 185th street, 47.88 ft., and 87.88 ft. south of 73rd avenue (Block No. 7173, Lot No. 1), Flushing, Borough of Queens, N.B. 8255-39.

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855-27-BZ.....H.B.Q.....216-03 Merrick road, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens, Alt. 296-39.

110-36-SA.....Mohawk Oil Burner re inclusion of additional models, Appliance.

562-37-BZ.....H.B.R.....1233 Castleton avenue, north side, 75.39 ft. west of Taylor street (Block No. 202, Lot No. 43), West New Brighton, Borough of Richmond, Alt. 355-39.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CERTIORARI SERVED ON BOARD OF STANDARDS AND APPEALS

On December 6, 1939, Benjamin C. Ribman, attorney, served on Board petition and order of certiorari in behalf of Hyman Cohen and others, objectors, in re decision of Board of October 31, 1939, under Cal. No. 704-39-BZ, granting temporary parking under section 7-h, premises 698-720 Livonia avenue, south side, from Bradford street to Wyona street, Borough of Brooklyn.

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Fuel Oil Burners for Industrial Use	Aug.	8, 1939—Vol. 24, No. 32
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Gas Heaters.....	Aug.	29, 1939—Vol. 24, No. 35
Paint, Varnish and Lacquer Spray-Dec.	12, 1939—Vol. 24, No. 50	
ing Equipment.....	Dec.	12, 1939—Vol. 24, No. 50
Range Oil Burners and Space		
Heaters.....	Aug.	29, 1939—Vol. 24, No. 35
Vacuum Breakers.....	Nov.	7, 1939—Vol. 24, No. 45

DECEMBER 12, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 12, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue and 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 244-39-BZ—Application of John J. Beatty, applicant, on behalf of Harlem Savings Bank, owner, reopened under new facts October 24, 1939, under section 21 of the building zone resolution, to permit in a restricted retail use district, the alteration and conversion of occupancy of part of an existing building to a motion picture theatre (previously denied); premises 163-165 West 57th street, north side, 104 ft. 2 in. east of Seventh avenue (Block No. 1010, Lot No. 5), Borough of Manhattan.

CAL. NO. 562-39-BZ—Application, May 3, 1939, under section 7h of the building zone resolution, of Tendwell Service Station Corporation, applicant and lessee, on behalf of New York State Realty and Terminal Co., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 5-15 West 125th street, north side, 110 ft. west of Fifth avenue and 6-14 West 126th street (Block No. 1723, Lot No. 31), Borough of Manhattan.

CAL. NO. 691-39-BZ—Application, May 23, 1939, under section 7a of the building zone resolution, of Thomas M. Bell, applicant, on behalf of Gainsborough Studios, Inc., owner, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the street; premises 222-224 West 59th

street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

CAL. NO. 459-39-BZ—Application, April 12, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicant, on behalf of Leon K. Rockmore, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn.

CAL. NO. 951-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Emil Koepfel, applicant, on behalf of Madeline Hecht, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn.

CAL. NO. 1022-39-BZ—Application, August 4, 1939, under sections 7f and 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Matilda Tais-hoff, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 47-13 to 47-21 Kissena boulevard and 140-01 to 140-07 Mulberry court, northeast corner (Block No. 5216, Lot No. 41), Flushing, Borough of Queens.

CAL. NO. 1203-39-BZ—Application, September 29, 1939, under section 7c of the building zone resolution, of Edwin W. Kleinert and A. Stanely Miller, applicants, on behalf of Security Construction Company, owner, to permit the erection of a business building (stores), extending from a business use district into a residence use district; premises 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-0, 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens.

CAL. NO. 212-34-BZ—Application of Michael Marlo, applicant, on behalf of Carmelo Oddo, owner (Michael Monterosa, lessee), reopened June 20, 1939, under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station; said gasoline station was previously granted by the Board for a temporary period; premises 1709 Neptune avenue and 2760-2770 Cropsey avenue, northwest corner (Block No. 6994, Lot Nos. 97 and 99), Borough of Brooklyn.

CAL. NO. 1093-39-BZ—Application, August 17, 1939, under section 21 of the building zone resolution, of Lockwood Greene Engineers, Inc., applicant, on behalf of News

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Syndicate, Inc., owner, to permit in an unrestricted use district and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building; said extension not conforming with the "B" area requirements of the building zone resolution; premises 684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28, inclusive), Borough of Brooklyn.

CAL. NO. 856-39-BZ—Application, June 26, 1939, under sections 7a and 21 of the building zone resolution, of Frank E. Wall, applicant, on behalf of Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station; premises 823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

CAL. NO. 597-39-BZ—Application, May 8, 1939, under sections 7c and 21 of the building zone resolution, of A. C. Benson, applicant, on behalf of Socony-Vacuum Oil Company, Inc., owner, to permit in a business use district, the alteration and extension of an existing gasoline service station; premises 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block No. 9751, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 1025-39-BZ—Application, August 7, 1939, under section 21 of the building zone resolution, of Frank J. Buttermark, applicant, on behalf of Mill Road Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

CAL. NO. 746-39-BZ—Application, June 7, 1939, under sections 7c, 7f and 21 of the building zone resolution, of Paul Friedman, applicant, on behalf of Brooklyn Development Company, owner (George E. Weidner, lessee), to permit partly in a

business use district and partly in a residence use district, the erection and maintenance of a golf driving range and accessory club house; premises 2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

Appeal from Administrative Decision

894-39-A—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue "Z" and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn (Under Section 35, General City Law, Re: Bed of Mapped Street).

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 12, 1939, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

1325-39-A—2277-2281 Ocean parkway, east side, 120 ft. north of Avenue "W" (Block No. 7158, Lot No. 60), Borough of Brooklyn.

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law).

1342-39-A—30-80 Steinway street, west side, 182.66 ft. north of Jamaica avenue (Block No. 660, Lot No. 82), Astoria, Borough of Queens.

1072-39-A—Re manufacture, storage, sale and transportation of "Quakersol", "Quaker High-Test Anti-Freeze" and "Quaker Brand Completely Denatured Alcohol" in non-refillable cans in New York City.

1432-39-A—429-433 East 164th street, north side, 120 ft. east of Brook avenue (Block No. 2386, Lot No. 5), Borough of The Bronx.

1064-39-A—45-17 Pearson street, east side, 150 ft. south of Northern boulevard (Block No. 84, Lot No. 11), Long Island City, Borough of Queens.

1089-39-A—1111-1113 Avenue U, north side, 80.74 ft. east of Coney Island avenue (Block No. 7315, Lot No. 44), Borough of Brooklyn.

1410-39-A — 70-84 Richards street, 58-68 Verona street, northwest corner and 49-67 Delevan street (Block No. 522, Lot No. 11), Borough of Brooklyn.

1434-39-A—103-17 to 103-19 Northern boulevard, north side, 40 ft. 2 in. west of 104th street (Block No.

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- 1698, Lot No. 39), Corona, Borough of Queens.
- 1452-39-A—64-68 Broad street and 31 Beaver street, northwest corner (Block No. 24, Lot No. 1), Borough of Manhattan.
- 1458-39-A—754-764 Pacific street, south side, 120 ft. east of Sixth avenue and Carlton avenue (Block No. 1129, Lot No. 13), Borough of Brooklyn.
- 1427-39-A—168-170 East 116th street, south side, 181 ft. 8 in. east of Lexington avenue (Block No. 1643, part of Lot No. 44), Borough of Manhattan.
- 1442-39-A—412 West 14th street, south side, 175 ft. west of Ninth avenue and 411-417 West 13th street (Block No. 646, Lot No. 35), Borough of Manhattan.
- 1430-39-A—130 Amity street, south side, 217 ft. east of Henry street (Block No. 296, Lot No. 15), Borough of Brooklyn.
- 1330-39-A—84-21 Grand avenue, west side, 420.19 ft. south of Kneeland avenue (Block No. 2476, Lot No. 212), Maspeth, Borough of Queens.
- 1331-39-A—84-21 Grand avenue, west side, 420.19 ft. south of Kneeland avenue (Block No. 2476, Lot No. 212), Maspeth, Borough of Queens.
- 1394-39-A—56-35, 56-39, 56-43, 56-47 and 56-61 186th street, northeast corner of 58th avenue (Block No. 5672, Lot No. 34), Flushing, Borough of Queens.
- 1395-39-A—56-32, 56-34, 56-38, 56-42, 56-46 and 56-50 186th street, northwest corner of 58th avenue (Block No. 5671, Lot No. 23), Flushing, Borough of Queens.
- 1450-39-A—58-45 186th street, east side, 440 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Flushing, Borough of Queens.
- 1453-39-A—165-18 South road, south side, 110.63 ft. east of 165th street (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.
- 1456-39-A—North side of Cross Island parkway, 620 ft. west of Douglaston parkway (Block No. 7720, Lot No. 100), Douglaston, Borough of Queens.
- 1457-39-A—West side of Cross Island parkway, 250 ft. north of West Alley road (Block No. 7720, Lot No. 1), Douglaston, Borough of Queens.
- 1476-39-A—120-87 Queens boulevard, northwest corner of 82nd avenue (Block No. 2274, Lot No. 74), Kew Gardens, Borough of Queens.

Variation of the Labor Law

- 1390-39-S—42-25 21st street, southeast corner of Bridge Plaza South (Block No. 427, Lot No. 27), Long Island City, Borough of Queens.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 12, 1939*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

- CAL. NO. 971-27-BZ—Application of Assets Funding Corporation, lessee, and George W. Perkins and Dorothy P. Freeman, owners, reopened November 14, 1939 re amendment of resolution as to additional use

as an automobile repair shop—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 270 Dyckman street, south side, 488.11 ft. west of Broadway (Block No. 2246, Lot No. 43), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 19, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 19, 1939*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

- CAL. NO. 1113-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frieda D. Waters, applicant and owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 1913-1929 Bay avenue, north side, 106 ft. 3½ in. east of East 19th street (Block No. 6748, Lot No. 97 and part of Lot No. 92), Borough of Brooklyn.

- CAL. NO. 1121-39-BZ—Application, September 8, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue (Block No. 4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn.

- CAL. NO. 1260-39-BZ—Application, October 13, 1939, under section 7c of the building zone resolution, of Thomas J. Curran, applicant, on behalf of South Brooklyn Savings Bank, owner, to permit the extension of a proposed bank building from a business use into a residence use district; premises 6422-6424 18th avenue and 1771-1775 65th street, northwest corner (Block No. 5546, Lot Nos. 50, 53, 57 and 58), Borough of Brooklyn.

- CAL. NO. 186-37-BZ—Application of William Shary, applicant, on behalf of Aaron Rabinowitz, James L. Clare and Lawrence N. Martin, as trustees of Series F-1, owner (Reuben Nathan, lessee), reopened under new proposal June 27, 1939, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously denied

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re parking of more than five (5) motor vehicles); premises 709-719 Westchester avenue, 721-725 Forest avenue, northwest corner and 712-724 Jackson avenue (Block No. 2645, Lot No. 5), Borough of The Bronx.

CAL. NO. 1194-39-BZ—Application, September 28, 1939, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district, the erection and maintenance of a laundry which is accessory to a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx.

CAL. NO. 1189-39-BZ—Application, September 27, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William Jacobia and Albert Jacobia, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 136-05 32nd avenue and 31-51 Linden place, northeast corner (Block No. 4409, Lot No. 1), Flushing, Borough of Queens.

CAL. NO. 637-39-BZ—Application, May 17, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Shell Oil Co., Inc., owner, to permit in a business use district, the extension of an existing gasoline service station; premises 63-56 Austin street and 91-39 63rd drive, southwest corner (Block No. 3103 (1897), Lot No. 43), Rego Park, Borough of Queens.

CAL. NO. 767-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Judson E. Schnall, applicant, on behalf of Estate of Benjamin Anchell and Philip Levison, owners (Thomas Kaltenbach, lessee), to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

CAL. NO. 181-39-BZ—Application, February 14, 1939, of Joshua Hochstein, applicant, on behalf of Frances Landa and Fannie Hochstein, owners, reopened and restored to calendar October 10, 1939, under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop, machine shop and garage for more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 45-37 to 45-55 50th (Fitting) street, east side, 400 ft. south of Queens boulevard (Block No. 2283, Lot No. 1), Woodside, Borough of Queens.

CAL. NO. 310-39-BZ—Application, March 13, 1939, under sections 7h and 21 of the building zone resolution, of Alexander Ketterson, applicant, on behalf of Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

CAL. NO. 657-39-BZ—Application, May 19, 1939, under sections 7c and 21 of the building zone resolution, of Frank Verdi, applicant, on behalf of Henry A. Thelluson, Receiver (George and F. J. Verdi, lessees), to permit in a residence use district and, also, on a street between two (2) intersecting streets in which portion there exists an exit and an entrance to a public school, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles; premises 353-355 West 48th street, north side, 204 ft. east of Ninth avenue (Block No. 1039, Lot No. 9), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 19, 1939, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 19, 1939, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 736-38-BZ—Application of Rockefeller Center, Inc., applicant and lessee (The Trustees of Columbia University in the City of New York, owner), reopened November 28, 1939 for consideration re amendment of resolution—re Application, to permit in a retail use district, the installation of a gasoline dispensing system, with sale of gasoline to patrons and to service cars with oil and lubrication, in a garage (permission to erect which was granted by the Board under section 7g of the building zone resolution), on the 48th street side of building; premises 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, January 3, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

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CAL. NO. 845-39-BZ—Application, June 23, 1939, under section 21 of the building zone resolution of Sidney H. Kitzler, applicant, on behalf of Harris Goody Realty Co., Inc., owner (Jack Nelson, lessee), to permit in a business use district, the erection of an accessory building on an existing gasoline service station; premises 253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

CAL. NO. 902-38-BZ—Application, October 18, 1938, under section 21 of the building zone resolution, of John R. Kilpatrick, applicant, on behalf of Madison Square Garden Corporation, owner, to permit in a residence use district and, also, within 200 feet of a hospital, the parking and storage of more than five (5) motor vehicles; premises 337-341 West 49th street, north side, 225 ft. east of Ninth avenue and 348-352 West 50th street (Block No. 1040, Lot Nos. 54, 55, 9, 10, 11 and part of Lot No. 14), Borough of Manhattan.

CAL. NO. 566-39-BZ—Application, May 3, 1939, under section 7h of the building zone resolution, of Nicholas F. Walsh, applicant, on behalf of Nicholas F. Walsh, Helen A. Walsh, Joseph A. Walsh, Mary A. Walsh and John A. Walsh, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 140 Post avenue, west side, 100 ft. north of West 207th street (Block No. 2223, Lot No. 22), Borough of Manhattan.

CAL. NO. 1392-39-BZ—Application, November 9, 1939, under section 7h of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of 870 Eighth Avenue Corporation, owner, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

CAL. NO. 148-35-BZ—Application of William J. Minogue, applicant, on behalf of 170 Dyckman Street Corporation, owner, reopened June 7, 1939, under sections 7a and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the conversion of occupancy of the 2nd story of an existing building from office use, previously granted by the board, to bowling alleys; premises 168-170 Dyckman street, west side, 100 ft. north of Sherman avenue and 71 Thayer street (Block No. 2175, Lot No. 70), Borough of Manhattan.

CAL. NO. 422-39-BZ—Application, April 4, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Bonded Lien Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 305-313 21st street and 697-705 Sixth avenue, northwest corner (Block No. 892, Lot No. 1), Borough of Brooklyn.

CAL. NO. 534-39-BZ—Application, April 27, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Emil Lazansky, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest corner (Block No. 3237, Lot No. 33), Borough of Brooklyn.

CAL. NO. 390-39-BZ—Application, March 29, 1939, under sections 7h and 21 of the building zone resolution, of John B. Leonard, applicant and lessee, on behalf of Ruth Allison Lilly, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1337 Leland avenue and 1850-1852 East 177th street, southwest corner (Block No. 3879, Lot Nos. 33, 34 and 37), Borough of The Bronx.

CAL. NO. 1017-39-BZ—Application, July 31, 1939, under section 7h of the building zone resolution, of Edward J. Carr, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 448-452 East 189th street, south side, 89.02 ft. east of Third avenue (Block No. 3042, Lot Nos. 27 and 29), Borough of The Bronx.

CAL. NO. 1115-39-BZ—Application, September 11, 1939, under sections 7a and 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of Herblou Corporation, owner (Wyatt Iron Works, Inc., lessee), to permit the extension of an iron works from an unrestricted use district into a business use district; premises 1211 Wyatt street, northwest corner of Van Nest avenue (Block No. 3908, Lot Nos. 53 and 66), Borough of The Bronx.

CAL. NO. 517-39-BZ—Application, April 25, 1939, under sections 7h of the building zone resolution, of Thomas I. Sheridan, applicant and owner, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles for a temporary period of not

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more than two (2) years; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive and 30), Astoria, Borough of Queens.

CAL. NO. 1206-39-BZ—Application, October 3, 1939, under section 7a of the building zone resolution, of James Lewis Munson, applicant, on behalf of Menley & James, Ltd., owner, to permit upon a plot located partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a business building (storage of paper cartons); premises 91-17 to 91-27 138th place, northeast corner of Archer avenue (Block No. 9981, Lot Nos. 26 and 20), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1940, 2 P. M.

Appeals from Administrative Decisions

1369-39-A—70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1488-39-A—213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft. and 302.27 ft. east of Bell boulevard (Block No. 6116, part of Lot No. 20 and Block No. 6118, part of Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, January 3, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 351-35-BZ—Application of Jerrold Kane, applicant, on behalf of Camager Corporation, owner, reopened November 28, 1939 re extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the maintenance of a parking space for more than five (5) motor vehicles for a temporary period; premises 35-40 Junction boulevard, west side, 100.8 ft. north of 37th avenue (Block No. 1469, Lot Nos. 1 and 26), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 9, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 929-39-BZ—Application, July 11, 1939, under sections 7a and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Oliver S. Chatfield, owner, to permit in a business use district, the alteration of an existing garage and gasoline service station and the increase in area of the gasoline station by the relocation of the front wall of the garage; premises 97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

CAL. NO. 1006-39-BZ—Application, July 26, 1939, under section 21 of the building zone resolution, of George G. Miller, applicant, on behalf of Rolleen Realty Corporation, owner, to permit in a residence use district, the lowest level of a rear yard above the curb level; premises 61-70 Overlook terrace, southwest corner of West 187th street (Block No. 2180, Lot No. 46), Borough of Manhattan.

CAL. NO. 1116-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frederick E. Goldsmith, applicant, on behalf of Avenue "N" Operating Corporation, owner, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 1811-1819 McDonald avenue, east side, 60 ft. south of Avenue "P" (Block No. 6633, part of Lot No. 12), Borough of Brooklyn.

CAL. NO. 1132-39-BZ—Application, September 14, 1939, under sections 7c and 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of J. Clarence Davies, Inc. and Consolidated Edison Co. of New York, Inc., owners (F. W. Woolworth Co., lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an extension to an existing business building; premises 31-34 Westchester square, west side, 185.65 ft. south of Frisby avenue and 2580 Frisby avenue (Block No. 3984, Lot No. 30 and part of Lot No. 16), Borough of The Bronx.

CAL. NO. 670-39-BZ-WF—Application, May 22, 1939, under section 7h of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Traders Building Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-19 National avenue, 102-01 to 102-13 42nd avenue, 41-27 to 41-33 102nd street and 41-18 to 41-30 103rd street (Block No. 1976, Lot Nos. 7, 10 and 13 to 16, inclusive), Corona, Borough of Queens.

CAL. NO. 1152-39-BZ—Application, September 20, 1939, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corpora-

CALENDAR

tion, owner, to permit in a residence use district, the erection and maintenance of two (2) multiple dwellings having garages for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 77-15 and 77-25 113th street, north side of 77th avenue, south side of 78th avenue, from 113th street to 113th place (Grand Central parkway extension); (Block No. 2269, Lot Nos. 2-24-32), Forest Hills, Borough of Queens.

CAL. NO. 455-39-BZ—Application, April 11, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Caroline B. Gale, owner (Jamaica Parking and Realty Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-11 166th street, east side, 45 ft. south of 89th avenue (Block No. 9798, Lot No. 22), Jamaica, Borough of Queens.

CAL. NO. 876-39-BZ—Application, June 29, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Anne Adelman and Henrietta Solomon, owners (Jamaica Parking and Realty Company, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-03 to 89-17 169th street and 169-02 to 169-10 89th avenue, southeast corner (Block No. 891, Lot Nos. 15 and 18), Jamaica, Borough of Queens.

CAL. NO. 94-38-BZ—Application of Arthur W. Renander, applicant, on behalf of Jeho Company, Inc., owner (Jamaica Parking Company, Inc., lessee), reopened and restored to calendar May 9, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 23, 1940, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 23, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 71-35-BZ—Application of Abraham N. Horwitz, applicant, on behalf of John Krupski, owner, reopened December 5, 1939, re consideration as to extension of permit—permit having expired by limitation—re Application previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the maintenance of a garage for the storage of one (1) commercial motor vehicle for a temporary period; premises 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block No. 2725, Lot Nos. 412 and 414), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 30, 1940, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, DECEMBER 5, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, October 31, 1939 and the minutes of

the regular meeting of the Board held on Tuesday afternoon, October 31, 1939, were approved as printed in Bulletin No. 45, Vol. 24.

BUILDING ZONE CASES

310-39-BZ.

APPLICANT—Alexander Ketterson, for Ascension Me-

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morial Church, owner (Herald Parking and Renting, Inc., lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Rev. Alexander Ketterson, Herman Kron and Bernard Stern.

For Opposition: None.

ACTION OF BOARD—Laid over to December 19, 1939 at 10 A. M. for further consideration by the board, after building is demolished.

597-39-BZ.

APPLICANT—A. C. Benson, for Socony-Vacuum Oil Co., Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the alteration and extension of an existing gasoline service station.

PREMISES AFFECTED—84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block No. 9751, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: A. C. Benson.

For Opposition: Benjamin D. Brown.

ACTION OF BOARD—Laid over to December 12, 1939 at 10 A.M., for applicant to file revised drawings and for further consideration by the board.

657-39-BZ.

APPLICANT—Frank Verdi, for Henry A. Thelluson, Receiver (George and F. J. Verdi, lessees).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a residence use district and, also, on a street between two (2) intersecting streets in which portion there exists an exit and an entrance to a public school, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—353-355 West 48th street, north side, 204 ft. east of Ninth avenue (Block No. 1039, Lot No. 9), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank J. Verdi.

For Opposition: Robert Lyons.

ACTION OF BOARD—Laid over to December 19, 1939 at 10 A.M. on request of applicant and for notice to be sent affected property owners.

929-39-BZ.

APPLICANT—Lama and Proskauer, for Oliver S. Chatfield, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a business use district, the alteration of an existing garage and gasoline service station and the increase in area of the gasoline station by the relocation of the front wall of the garage.

PREMISES AFFECTED—97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Hattie Mercer and Emma J. J. Carey.

ACTION OF BOARD—Laid over to January 9, 1940 at 10 A. M., for applicant to file revised plans.

1025-39-BZ.

APPLICANT—Frank J. Buttermark, for Mill Road Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: J. Harry Tiernan, Jr.

For Opposition: Angelo Constantino.

ACTION OF BOARD—Laid over to December 12, 1939 at 10 A. M. on request of applicant's representative.

868-39-BZ.

APPLICANT—Cafiero and Lacerenza, for Irving Palmer, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a business building (stores).

PREMISES AFFECTED—3826-3830 Kings Highway and 1241-1245 Ryder street, southeast corner (Block No. 7817, Lot No. 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: William A. Lacerenza.

For Opposition: Objectors present.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

326-36-BZ.

APPLICANT—Interborough Engineering Company, for Giuseppe Montemorano, owner.

SUBJECT—Application reopened June 27, 1939 under new facts (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied).

PREMISES AFFECTED—961-965 Fourth avenue and 402-412 37th street, southeast corner (Block No. 701, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. U. Perotto and Nicholas Morano.

For Opposition: Mrs. Madeline Vingiello.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4

THE RESOLUTION—

(326-36-BZ)

WHEREAS, Joseph M. Lonergan, for Giuseppe Montemorano, owner, filed October 31, 1936, an application under

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section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station; premises: 402-412 37th street and 961-965 Fourth avenue, southeast corner (Block No. 701, Lot No. 8), Borough of Brooklyn; and

WHEREAS, this application was denied by the Board April 6, 1937, and present owner requested a reopening of this application on the basis of new facts; and

WHEREAS, this application was reopened by vote of the Board, June 27, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, December 5, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Fourth avenue is in a business use district; 37th street is in a business and unrestricted use district; 38th street is in an unrestricted and business use district and Fifth avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent, re N.B. Application No. 1449-1939, dated June 12, 1939, reads:

"Proposed gasoline service station in a business use district is a prohibited use, contrary to building zone resolution, Art. 2 4a(46). Proposition denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75.2 ft. on Fourth avenue and 100 ft. on 37th street. It is proposed to demolish the frame stable for three (3) horses on the easterly portion of the plot and also, the 3 story frame dwelling. It is proposed to erect a gasoline service station on the westerly portion of the plot (having a frontage of 75.2 ft. on Fourth avenue and 70 ft. on 37th street), consisting of an accessory building 25 ft. by 65 ft. in area and also the necessary tanks and pumps; and

WHEREAS, the board deemed that the applicant failed to substantiate his basis of appeal, under Section 21 of the building zone resolution, and, was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the Borough Superintendent, re N.B. Application No. 1449-39 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

295-39-BZ.

APPLICANT—Louis Danancher, for Morris Manes, owner.
SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7b, 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the maintenance of an extension to a business building.

PREMISES AFFECTED—113-19 Jamaica avenue, north side, 25 ft. west of 114th street (Block No. 4227, Lot No. 77), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Louis Danancher and Daniel E. Ifshin.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(295-39-BZ)

WHEREAS, Louis Danancher, for Morris Manes, owner, filed March 8, 1939, an application under sections 7B, 7C and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use

district, the maintenance of an extension to a business building; premises: 113-19 Jamaica avenue, north side, 25 ft. west of 114th street (Block No. 4227, Lot No. 77), Richmond Hill, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 5, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jamaica avenue is in a business use district; 114th street is in a residence and business use district; 113th street is in a residence and business use district and 86th avenue is in a residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, B.N. Application No. 9208-36, dated March 8, 1939, reads:

"1. The extension of a business building into a residence district is contrary to Art. 2, Sect. 3 of Zone Law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 25 ft., a distance of 113 ft. along the westerly lot line and 106 ft. along the easterly lot line. The Jamaica avenue frontage of the plot is located in a business use district and an irregular shaped area at the rear of the plot extends into the residence use district for a maximum distance of approximately nine (9) ft. It is proposed to maintain a 2 story extension used for business purposes and which covers the residence use district portion of plot; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 7, subsection b, of the building zone resolution and was, therefore, entitled to relief, to permit the extension of the business use into the residence use district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under sections 7b, to permit the extension of the business use into the residence district, as shown on plans filed with this application, *on condition* that the building and use shall not be further extended and the rear extension shall not be increased in height within the residence use area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, except that the construction of the building shall comply with the requirements of the Building Code as in force at the time this extension was constructed; and that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

624-39-BZ.

APPLICANT—Lama and Proskauer, for Charlotte Smith, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—177-12 to 177-22 Union turnpike, south side, 345.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama, Fred Berger, John J. Smith, M. Marc Spar and Charles Braun.

For Opposition: Mrs. Anna Arnold, Nathan Felbenbaum and Nicholas Weiss.

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ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4

THE RESOLUTION—

(624-39-BZ)

WHEREAS, Lama and Proskauer, for Charlotte Smith, owner, filed May 15, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station; premises: 177-12 to 177-22 Union turnpike, south side, 314.17 ft. east of Utopia parkway (Block No. 7227, part of Lot No. 24), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, December 5, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Union turnpike is in a business use district; 80th road is in a residence use district; Surrey road is in a residence and business use district and 178th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, N.B. Application No. 3264-1939 dated May 2, 1939, reads:

"1. Proposed location of a gasoline service station in a business district is contrary to Sec. 4 of the Building Zone Resolution."

and

WHEREAS, the premises, part of a larger parcel of property, consist of a plot of ground having a frontage of 140 ft. and a depth of 100 ft. It is proposed to remove the stable, now located upon the plot and to erect thereon a one story building, 50 ft. 4 in. by 43 ft. in area, to be used as office, lubricatorium and auto laundry and also, to install the necessary tanks pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, re N.B. Application No. 3264-39, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

724-39-BZ.

APPLICANT—Joseph P. Powers, for Buona Terra Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7c of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores).

PREMISES AFFECTED—148-42 Hillside avenue, south side, 224.5 ft. west of 150th street (Block No. 9694, Lot No. 23), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Joseph P. Powers.

For Opposition: Mrs. George Carlson.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4
Negative 0

THE RESOLUTION—

(724-39-BZ)

WHEREAS, Joseph P. Powers, for Buona Terra Corporation, owner, filed on May 31, 1939, an application, under

the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (stores); premises: 148-42 Hillside avenue, south side, 224.5 ft. west of 150th street (Block No. 9694, Lot No. 23), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 5, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hillside avenue is in a business use district; 88th avenue is in a residence use district; 148th street and 150th street are in both residence and business use districts; and

WHEREAS, the decision of the borough superintendent, re Misc. Appl. No. 1604-39, dated May 1, 1939, reads:

"Proposed premises is located partly in a residence district and partly in a business district. Use of portion in residence district for business use is contrary to Sec. 3 of the Building Zone Resolution."

and

WHEREAS, the proposed building is of nonfireproof construction, one story in height, with a frontage of 50 ft. and a depth of 130 ft. It is proposed to erect upon the site (which has a depth of 140 ft.) a one-story business (store) building; said building extends into the residence use district for a distance of 30 ft. The remainder of the building is located in a business use district; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivisions b and c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under sections 7b and 7c thereof, to permit the extension of the proposed business use into the residential use district, *on condition* that there shall be a rear yard provided, not less than 10 feet in width across the entire width of the plot; that the portion of the building within the residential area shall at no time be constructed more than one story in height above the grade of Hillside avenue; that any skylights in this portion of the building shall be not nearer than 10 feet to any side or rear lot line; that no sign shall be erected within the residential use district; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required and all work involved, shall be completed within one year from the date of this resolution.

836-39-BZ.

APPLICANT—Isidore Wolsk, for Gotham Equities Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1793-1799 Eastern parkway, north side, 68.4 ft. west of Dean street and 2348-2354 Dean street (Block No. 1449, Lot Nos. 19 and 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel M. Cytryn and Jerome Lorber.

For Opposition: Domenick Blasi and Harold Klorfein, Park Department.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

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Negative: Chairman Murdock, Commissioners
Savage and Blum and Assistant Chief
Walsh 4

THE RESOLUTION—

(836-39-BZ)

WHEREAS, Isidore Wolsk, for Gotham Equities Corporation, owners, filed June 21, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station; premises: 1793-1799 Eastern parkway, north side, 68.4 ft. west of Dean street and 2348-2354 Dean street (Block No. 1449, Lot Nos. 19 and 21), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 5, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Eastern parkway, Dean street and Rockaway avenue are in business use districts and Bergen street is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, re N.B. Application No. 1027-1939, dated June 13, 1939, reads:

"Gasoline service station in business use zone is prohibited by Art. II, Sect. 4A (46) of Zone Resolution. Above application for same is hereby denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 75 ft., a distance of 107 ft. 2 in. along the westerly lot line and 27 ft. 7 in. along the southerly lot line. It is proposed to erect upon the plot, a one story office and lubritorium structure 46 ft. by 26 ft. in area and also the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, re N.B. Application No. 1027-39, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1054-39-BZ.

APPLICANT—Richard Shutkind, for 318 West 37th Street Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7a of the building zone resolution, to permit in a residence use district, the extension of an existing business use.

PREMISES AFFECTED—318 West 47th street, south side, 275 ft. west of Eighth avenue (Block No. 1037, Lot No. 44), Borough of Manhattan.

APPEARANCES—

For Applicant: Richard Shutkind and Moses Packer.

For Opposition: William Schweizer and Jerome S. Blumenthal.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1054-39-BZ)

WHEREAS, Richard Shutkind, for 318 West 47th Street Corporation, owner, filed August 18, 1939, an application under section 7a of the building resolution, to permit in a residence use district, the extension of an existing business use; premises: 318 West 47th street, south side, 275 ft. west of Eighth avenue (Block No. 1037, Lot No. 44), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 5, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 46th street and West 47th street are in residence and retail use districts; Eighth avenue and Ninth avenue are in retail use districts; and

WHEREAS, the decision of the borough superintendent, Alt. Application No. 2414-1939, dated August 4, 1939, reads:

"1. Extension of a business use in a residence district is contrary to Sect. 3, Art. 2 Building Zone Resolution."

and

WHEREAS, the existing building is of non-fireproof construction, four (4) stories in height; frontage, 25 ft. and a depth of 100 ft. on 1st story and 50 ft. above the 1st story; the building is now occupied as: Cellar—storage; 1st story, office and store; 2nd story, storeroom; 3rd and 4th stories, dwellings. It is proposed to extend the business use to the 3rd and 4th stories; no extension of the area of the building is proposed; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant a variance under Section 7-A of the building zone resolution;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-A thereof, to permit the existing business now on the premises, to be extended to occupy the two upper floors, as proposed, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building is occupied as a whole by the present tenants, Packer Brothers, and shall not be increased in height or area; that all permits required shall be obtained and all work involved, completed within one year from the date of this resolution.

Adjourned, 12:30 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 5, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

855-27-BZ.

APPLICANT—Shell Oil Company, Inc. (lessee), for Anna C. Bingler, owner.

SUBJECT—Application for consideration—reopening and rehearing under new facts—(re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection of an accessory building (lubritorium) in connection with an existing gasoline service station (previously denied).

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PREMISES AFFECTED—216-03 Merrick road, northeast corner of Springfield boulevard (Block No. 3541, Lot No. 1), Springfield, Borough of Queens.

APPEARANCES—

for Applicant: Gilbert M. Ramsey.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

71-35-BZ.

APPLICANT—Abraham N. Horwitz, for John Krupski, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence use district, the maintenance of a garage for the storage of one (1) commercial motor vehicle for a temporary period.

PREMISES AFFECTED — 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block No. 2725, Lot Nos. 412 and 414), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Abraham N. Horwitz.

ACTION OF BOARD—Application reopened and set for hearing, January 23, 1940 at 2 P. M.

THE VOTE TO REOPEN AND SET FOR HEARING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

562-37-BZ.

APPLICANT—Frank G. Burger, for Foggin-Burger Land Company, Inc.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the borough superintendent of buildings) under section 7c of the building zone resolution, to permit the extension into a residence use district of an existing business building.

PREMISES AFFECTED—1233 Castleton avenue, north side, 75.39 ft. west of Taylor street (Block No. 202, Lot No. 43), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Carl D. Isaacs.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

317-38-BZ.

APPLICANT—S. Paul Fishman, for 486 Brooklyn Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a business building (store).

PREMISES AFFECTED—486-496 Brooklyn avenue, northwest corner of Lefferts avenue (Block No. 1322, Lot No. 32), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

THE RESOLUTION—

(317-38-BZ)

WHEREAS, S. Paul Fishman, for 486 Brooklyn Corporation, owner, filed May 3, 1938, an application with the Board of Standards and Appeals, affecting premises: 486-496 Brooklyn avenue, northwest corner of Lefferts avenue (Block No. 1322, Lot No. 32), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

330-33-BZ.

APPLICANT—Jopaul Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—North side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: George Bisgier.

For Opposition: Harold Klorfein, Department of Parks.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

THE RESOLUTION—

(330-33-BZ)

WHEREAS, this application affecting premises, north side of Northern boulevard, 386 ft. west of Alley Creek (Block No. 2033, Lot No. 630), Little Neck, Borough of Queens, was granted by the board February 14, 1934, on certain conditions, resolution amended February 9, 1937 and June 7, 1939, and applicant requested an extension of the temporary permit.

Resolved, that the resolution adopted by the board on February 14, 1934, as amended February 9, 1937 and June 7, 1939, be and it hereby is *amended*, so far as it has reference to the term of the permit, so that as amended the resolution will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* to permit the plot under appeal to be used for a gasoline service station under section 21 for a period of *six (6) months* from the date of this *amended resolution*, on condition that no part of the plot shall extend into any portion of a mapped street; that the site shall be filled substantially to the level of Northern boulevard; that there shall be erected on the interior lot lines a substantial woven wire fence not less than 6 ft. in height; that the buildings to be erected on the plot shall consist of an office building only, as indicated in plans filed with this appeal, not exceeding one story in height and with no open excavation under same; that this accessory building shall be constructed of incombustible materials except that

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the roof beams, roof boarding, doors and windows may be of wood; provided the ceiling is fire-retarded in accordance with the rules of the Board of Standards and Appeals and the roof surfaced with incombustible materials; that the accessory building shall be constructed substantially as indicated on plans filed with this appeal, except that the accessory building may be increased by an extension toward the easterly lot line, so that it shall not exceed a total length of 35 ft. and not over one-story in height; that the balance of the plot where not occupied by accessory building shall be cement paved or covered with crushed blue stone; that gasoline pumps shall be not nearer than 10 ft. to the street line of Northern boulevard or to the accessory building; that there shall be no portable gasoline tanks used on or from the property; that there shall be no storage or parking of cars other than those being serviced; that if grease pits are installed they shall be enclosed in a one-story building similar to the office building with the front left open; that gasoline storage tanks, if of the double shell type, may be on earth leveled and well tamped, separated one from the other, not less than 6 in. and filled in with earth on all sides and between the tanks; that the gasoline storage tanks shall be coated with rust-resisting material; that signs advertising non-conforming use shall be limited to the illuminated globes of the gasoline pumps and to one permanent flat sign placed on the front of the office building, excluding all other signs of every nature; that there shall be no open flame permitted on the property; that if and when curbs are erected on Northern boulevard, there shall be not over two openings to these premises, each opening not exceeding 30 ft."

APPEALS FROM ADMINISTRATIVE DECISIONS 1342-39-A.

APPLICANT—Simon B. Zelnik, for P. Friedman, owner (R. Epstein, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 30-80 Steinway street, west side, 182.66 ft. north of Jamaica avenue (Block No. 660, Lot No. 82), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Simon B. Zelnik.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 12, 1939 at 2 P. M., for applicant to withdraw amendment filed with Building Department.

1288-39-A.

APPLICANT—E. G. Gough, for Pedine Realty Corporation, owner (Pequot Manufacturing Company, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings (under section 36, General City Law).

PREMISES AFFECTED—Pequot road and 88th street, 851.49 ft. west of west side of 88th street and 617.42 ft. south of Cooper avenue (Block No. 3810, Lot No. 375), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1288-39-A)

WHEREAS, E. G. Gough, for Pedine Realty Corporation, owner (Pequot Manufacturing Company, lessee), filed October 17, 1939, an appeal from a decision of the borough superintendent of buildings, relative to the erection of a building not facing on a legal street (under section 36, General City Law), affecting premises: Pequot road and 88th street, 851.49 ft. west of west side of 88th street and 617.42 ft. south of Cooper avenue (Block No. 3810, Lot No. 275), Glendale, Borough of Queens; and

WHEREAS, when this case was called at the public hearing, no one appeared in behalf of the applicant.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

1306-39-A.

APPLICANT—Joseph H. Cornell, for Hippodrome Pavilion, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—623 Beach 19th street, west side, 347 ft. south of Cornaga avenue and 702 Beach 20th street (Block No. 84, Lot No. 1 and Block No. 85, Lot No. 34), Far Rockaway, Borough of Queens. (Under section 35, General City Law, Re: Bed of Mapped Street.)

APPEARANCES—

For Applicant: William H. Weissogl and Joseph H. Cornell.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1306-39-A)

WHEREAS, Joseph H. Cornell, for Hippodrome Pavilion, Inc., owner, filed October 24, 1939, an application for permission to erect buildings in the bed of a mapped street, pursuant to section 35 of the General City Law, affecting premises 623 Beach 19th street, west side, 347 ft. south of Cornaga avenue and 702 Beach 20th street, 161.63 ft. south of Cornaga avenue (Block No. 85, Lot No. 34 and Block No. 84, Lot No. 1), Far Rockaway, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. Nos. 7793 and 7794-39, dated October 16, 1939, reads:

"Proposed building is to be erected in bed of Everdell St., as shown on final map 231 Borough of Queens.

"No further objections at this time."

and

WHEREAS, it is proposed to erect two attached, class 3, 1½ story bungalows, 15 ft. in height, 22 ft. by 42 ft. in area each, within the bed of Everdell place (avenue) approximately 150 ft. west of the existing westerly line of Beach 19th street, as shown on plan filed with this appeal; and

WHEREAS, the applicant contends that the plot already contains a two story frame business building on the Beach 20th street front; that Everdell place (avenue) was mapped in 1914 and these buildings were erected since that date; that the only return from the plot is from the building on Beach 20th street, which is 71 ft. in depth, leaving a balance of 374 ft. vacant in the rear, running through to Beach 19th street, from which the owner derives no income; that this condition results in a hardship; that the fact that no proceedings have been taken to complete the street since 1914, would indicate the City does not intend to do so; and

WHEREAS, notice of this application has been duly pub-

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lished in the bulletin of the board and in the local newspaper on three successive Mondays, as required by law.

Resolved, that the decision of the borough superintendent on N.B. Applic. Nos. 7793 and 7794-39, be and it hereby is *modified*, as to Objection No. 1, and that the appeal be and it hereby is *granted*, under the power vested in the board by Section 35 of the General City Law, so as to permit the construction of the proposed building within the bed of Everdell avenue, located as indicated on plans filed with this appeal, *on condition* that in all other respects, the construction and occupancy comply with all the requirements of the zoning resolution and all other laws, rules and regulations applicable thereto.

1355-39-A.

APPLICANT—Alfred Fellheimer, of Fellheimer and Wagner, for Madison 52nd Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—485 Madison avenue and 28-36 East 52nd street, southeast corner (Block No. 1287, Lot No. 52), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred Fellheimer and James D. Landauer.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1355-39-A)

WHEREAS, Alfred Felheimer, of Felheimer and Wagner, for Madison 52nd Corporation, owner, filed November 2, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises: 485 Madison avenue and 28-36 East 52nd street, southeast corner (Block No. 1287, Lot No. 52), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 50-39, dated October 4, 1939, reads:

"10. Sign is not permitted. B26-7.0 Administrative Code. Further, separate sign application should be filed."

and

WHEREAS, the building is 24 stories (275 ft. 5 in.) in height, 100 ft. 5 in. by 124.5 ft. in area, of class 1 construction, equipped with a standpipe and a sprinkler system, erected in 1925, located in a restricted retail use district and occupied: 1st floor—stores, restaurant and telegraph office; 2nd to 15th floors—offices and light manufacturing; 16th to 23rd floors—broadcasting studios; 24th floor—apartment. Certificate of occupancy No. 1906 was issued August 1, 1933, permitting the occupancy of the 1st floor for stores; 2nd to 14th floors for factory, offices and showrooms; 15th to 23rd floors—offices; 24th story—apartment; and

WHEREAS, the applicant requests permission to maintain the sign existing over the marquee at the Madison avenue entrance of the building; and

WHEREAS, the applicant contends that the larger part of the building is of an essential public character, being occupied in excess of 50% by the Columbia Broadcasting System; that the sign is essential to readily direct the broadcasting visitors and performers to the building.

Resolved, that the decision of the acting borough superintendent, on Alteration Applic. No. 50-39, Objection No. 10, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, so as to permit the sign as proposed, *on condition* that the sign shall not be extended in area and shall not extend beyond the building line for a dis-

tance of over 20 inches and shall be limited to the initials, "CBS", as shown; that a proper application for an illuminated sign shall be made in the building department; that such sign shall be permitted only so long as the premises are occupied in part by the Columbia Broadcasting System and shall be removed upon the termination of their tenancy; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1368-39-A-WF.

APPLICANT—Austin W. Magee, for Fred J. Whitman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112-36 to 112-44 Roosevelt avenue, south side, 100 ft. west of 114th street (Block No. 2013, Lot Nos. 32 to 35 inclusive), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

For Administration: Aaron Halpern, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1368-39-A-WF)

WHEREAS, Austin W. Magee, for Fred J. Whitman, owner, filed on November 8, 1939, an application for an appeal from a decision of the borough superintendent of buildings, for permission to operate a cabaret within the World's Fair Area, pursuant to Section 8 of the World's Fair Resolution, affecting premises: 112-36 to 122-44 Roosevelt avenue, south side, 100 ft. west of 114th street (Block 2013, Lot Nos. 32 to 35 inclusive), Corona, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on Miscellaneous Application No. 8833-39, dated November 1, 1939, reads:

"The creation of a cabaret within the World's Fair Area is contrary to Section 8 of the World's Fair resolution."

and

WHEREAS, the building is one story (21 ft.) in height, 60 ft. by 40 ft. in area, of Class 3 construction, erected in 1939 and located in a business use district, occupied as a restaurant, 100 persons; proposed to be occupied as a restaurant and cabaret, 100 persons; and

WHEREAS, the applicant contends that unless the owner can obtain relief, he will be unable successfully to operate the premises as a restaurant; the layout of the building and the size of the floor area precludes the use of a floor show and modification of the World's Fair Resolution is requested to allow music, dancing and cabaret unit consisting of not more than 4 artists known as strollers and that the proposed use would not interfere with the World's Fair.

Resolved, that the decision of the Borough Superintendent on Misc. Applic. No. 8833-39, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the premises to employ a cabaret unit consisting of not more than four (4) musicians and performers in connection with an existing restaurant, *on condition* that this use shall be permitted only so long as the premises are occupied as proposed, as a restaurant, and the building is not increased in height and area; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, as modified by resolution of the Board adopted under Cal. No. 396-39-A-WF as to signs as amended December 5, 1939.

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1451-39-A.

APPLICANT—Bellows and Company (lessee), for Manhattan Storage and Warehouse Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—148-150 West 53rd street, south side, 191.75 ft. east Seventh avenue (Block No. 1005, part of Lot No. 53), Borough of Manhattan.

APPEARANCES—

For Applicant: F. S. Wiedman, R. B. Knight and R. H. Stafford.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1451-39-A)

WHEREAS, Bellows and Company (lessee), for Manhattan Storage and Warehouse Company, owner, filed on November 28, 1939, an appeal from a decision of the Acting Borough Superintendent of Buildings, affecting premises: 148-150 West 53rd street, south side, 191¾ ft. east of Seventh avenue (Block No. 1005, part of Lot No. 53), Borough of Manhattan; and

WHEREAS, the decision of the Acting Borough Superintendent, dated November 17, 1939, reads:

"Receipt is acknowledged of your letter of November 15, 1939, requesting an interpretation of the Zoning Resolution as it applies to the proposed use of the above premises for the purpose of mixing, bottling and other operations in connection with distilled spirits and wines.

The premises 148-150 West 53rd street are located within a business district, where Section 4, subdivision A (6) prohibits brewing or distilling of liquors.

As your Mr. Knight explained to us, you propose to use the premises for blending and bottling spirits and wines and in addition thereto for redistilling of gin. The blending and bottling operations are not prohibited in a business district, and, therefore, this department will have no objection to the use of the premises for such purposes. It will be necessary, however, to file an application to change the present occupancy of the building from its authorized use as garage for five cars to a bottling plant.

As Mr. Knight explained, redistilling of gin is an unobjectionable process insofar as odor or noise is concerned. It may be a use which was not intended to be prohibited by Section 4a (6) of the Building Zone Resolution, but owing to the wording of said section, this department cannot permit such use in a business district.

You may, however, appeal from this ruling to the Board of Standards and Appeals, Room 1000, Municipal Buildings, Manhattan, which Board was created for the purpose of granting variations and making interpretations of the Building Zone Resolution."

and

WHEREAS, the building is one story (18 ft.) in height, 40 ft. by 59 ft. in area; of Class III construction; located in a business use district; erected in 1934 and occupied for the storage of five motor vehicles; proposed to be occupied for rectifying liquors; and

WHEREAS, the applicant contends that it now has under lease 16,000 sq. ft. for warehouse purposes in the building of the Manhattan Warehouse Storage Co. immediately adjacent to the premises in question. It is essential in order not to incur unnecessary and heavy trucking expenditures to concentrate at one place the warehousing, bottling and gin-making operations; that the refining of gin, as proposed, is accomplished by vaporizing neutral spirits in a sealed container. Alcohol vapors will pass through

perforated trays containing thin layers of flavoring, and then be condensed in a second sealed chamber. The heat required for evaporation will be supplied by steam coils passing through the evaporator. The alcohol will be vaporized at approximately 172 deg. F. and thus require little heat for such vaporization. The steam pressure of inside tubes will never surpass 9 lbs. An interpretation of the Building Zone Resolution is requested, as the proposed process in the opinion of the applicant, does not constitute distilling of liquors as defined by the Building Zone Resolution. In support of this, reference is made to the U. S. Government regulations defining rectifying and the New York State Law defining rectifying. Favorable consideration is requested in view of the emergency conditions due to war conditions abroad; and

WHEREAS, in the opinion of the Board, the process proposed is distilling of liquor and hence a prohibited use in a business use district under Article II, Section IV, Subdivision 6.

Resolved, that the appeal be and it hereby is *withdrawn*.

1466-39-A.

APPLICANT—Charles M. Hart, for Queensboro Bridge Railway Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—19-80 Steinway street, northwest corner of 20th avenue (Block No. 811, part of Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: J. O. Hart and Frank D. Ward.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum.....	3
Negative: Assistant Chief Walsh.....	1

THE RESOLUTION—

(1466-39-A)

WHEREAS, Charles M. Hart, for Queensboro Bridge Railway Co., Inc., owner, filed on November 30, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises: 19-80 Steinway street, northwest corner Winthrop street (20th Avenue), (Block No. 811, part of Lot 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 7146-39, dated November 20, 1939, reads:

"7. The rules of the Fire Department require that Diesel oil storage tanks for the fueling of automobiles shall be encased with 12 inches of concrete, except at top, and the maximum capacity of tank may not exceed 550 gallons.

8. The common use of Diesel oil storage tank for the fueling of automobiles and for the operation of oil burning equipment connected thereto, is contrary to the regulations of the Fire Department, and the rules of the B. of S. & A. covering fuel oil burning equipment."

and

WHEREAS, it is proposed to install one 2,000 gallon buried tank for the storage of No. 2 fuel oil to be used for fueling buses and to supply the oil burner operated in connection with the heating system of the building located on the same plot; in addition it is proposed to install a 2,000 gallon lubricating oil tank and a 2,000 gallon gasoline tank, the latter as granted by the board under Cal. No. 1234-39-A; and

WHEREAS, the applicant contends that there is nothing in the Code bearing on the installation of Diesel storage tanks; that the proposed oil storage tank should be considered purely as a fuel oil tank and its installation covered by the Oil Burner Rules and not by the gasoline storage tank rules, as required by the borough superintendent; that the use of the oil storage tank can never be changed, as the buses

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owned and operated by the owners of the building will be propelled by Diesel power.

Resolved, that the decision of the borough superintendent, as to Misc. Applic. No. 7146-39, objections 7 and 8, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the 2,000 gallon tank, shown on plans filed with this appeal, for the storage of Diesel and fuel oil, shall be used solely for the storage of No. 2 fuel oil; that the fueling of buses and oil burner may be from this tank, provided the fill box at the curb does not exceed 2 inches in diameter and is fitted with a left-hand thread; that the feed lines shall be properly protected to the satisfaction of the Fire Commissioner and shall not extend through any portion of the building used as a boiler-room; that the pumps shall be located so as not to be over the boiler-room; that the vent pipe shall be located so as to be not nearer than 10 feet to the boiler-room flue; that in all other respects the tank and installation shall comply with the Oil Burner Rules of the Board of Standards and Appeals.

396-39-A-WF.

APPLICANT—Austin W. Magee, for Fred J. Whitman, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PEMISES AFFECTED—112-36 to 112-40 Roosevelt avenue, south side, 100 ft. west of 114th street (Block No. 2013, Lot Nos. 32 to 35, inclusive), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

For Administration: Aaron Halpern, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

THE RESOLUTION—

(396-39-A-WF)

WHEREAS, Austin W. Magee, for Canary Bar B Cue, Inc., lessee (Fred J. Whitman, owner), filed March 30, 1939, an appeal with the Board of Standards and Appeals from a decision of the borough superintendent of buildings affecting premises 112-36 to 112-40 Roosevelt avenue, south side, 100 ft. west of 114th street (Block No. 2013, Lot Nos. 32 to 35 inclusive), Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings dated March 27, 1939, rendered in acting on Misc. Applic. No. 796-1939, reads:

"1. The erection of a sign within the World's Fair area exceeding 30 sq. ft. in area is contrary to section 4 of the World's Fair Resolution."

and

WHEREAS, it is proposed to erect a one-story and cellar building 40 ft. by 60 ft. in area to be occupied: Cellar story, 1st story, restaurant; and

WHEREAS, it is proposed to erect a sign hung parallel to the building wall 40 ft. inside the building line, 10 ft. 10 in. high and 16 ft. 6 in. long (117 sq. ft. in area) and on either side of the window, a figure of a Canary outlined in gold, to advertise the business conducted on the premises. It is proposed also to erect two signs less than 30 sq. ft. in area each over the side doors of the restaurant; and

WHEREAS, this appeal was granted April 18, 1939, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on April 18, 1939, so that as amended it shall read:

"Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 796-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the signs proposed shall not exceed the areas indicated on plans filed with this appeal, and that the front of the building shall not be nearer Roosevelt avenue than 35 ft.

Resolved further, that the wording of the sign as herein permitted may be changed so as to read:

'Canary Dine Cage Dance',

provided the sign is not increased in area and that no sign shall be permitted on the premises in addition to the sign herein permitted and that the post standard and brand sign, now on the premises and advertising the adjoining gasoline station to the east, shall be removed."

APPLIANCES SUBMITTED FOR APPROVAL

110-36-SA.

APPLICANT—Harry A. Toker, for American Mohawk Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re inclusion of additional Model "B"—re Mohawk Oil Burner, Models A and H previously approved.

APPEARANCES—

For Applicant: Harry A. Toker.

ACTION OF BOARD—Application reopened and referred to committee on tests for consideration.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

23-37-SA.

APPLICANT—Silent Heet Oil Burner Company, for Quiet Heet Manufacturing Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution to include additional name of "Great Eastern Oil Burner"—re Silent Heet Oil Burner, Models A, B and E, previously approved.

APPEARANCES—

For Applicant: Michael Kliegman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative 4
0

THE RESOLUTION—

(23-37-SA)

WHEREAS, Michael Kliegman of Silent Heet Oil Burner Co., for Quiet Heet Mfg. Corp., owner, filed January 21, 1937, an application with the Board of Standards and Appeals, for approval of the device known as the Silent Heet Oil Burner, Models A, B and E; and

WHEREAS, the device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles was substantially as follows:

The burner under test and inspection was a Model B. This burner was installed in a conventional type steam heating plant, used for domestic purposes. It is of the pressure atomizing gun type, consisting of a Robbins & Meyer or General Electric 1/6 H.P. motor, a Sirocco type fan, a Webster fuel unit, consisting of pump, strainer and regulating valve and a Harsch nozzle.

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Ignition — Electric — Webster transformer, 110 to 10,000 volts.

Controls—Minneapolis-Honeywell Protecto-Relay R-117-3 and Pressuretrol L-404.

The Models A and E are identical with the above model with the exception that the Model A has a square base and the transformer is mounted directly upon the top of the blower. The Model B has a round base with the transformer at the side. The capacity of these burners is from 1½ to 3½ gallons per hour. With the oil supply shut off and a cold combustion chamber, the burner was operated and the controls on two successive tests shut the burner down in 90 and 94 seconds respectively. The burner was then put in normal operation for a period of approximately 1 hour. The controls functioned as designed. During the period of test there were no flare backs due to faulty ignition, the flame was clean and free of soot and smoke and examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Silent Heat Oil Burner, Models A, B and E be approved for domestic and commercial use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards.

and

WHEREAS, this device was approved May 11, 1937, and on May 25, 1937, the resolution was amended to permit the marketing of the burner under the names Edison, Stromberg and Ideal, Models A, B and E on June 22, 1937, the resolution was further amended to include the name, Benat Oil Burner Models A, B and E and on July 13, 1937, the resolution was further amended to include the names, Creveling, Hillcrest, Sun-Glo, the Capitol Oil Burner, and the Master Gulf Oil Burner, Models A, B and E; and

WHEREAS, the applicant now requests a further amendment of the resolution, to permit the marketing of the Silent Heat Oil Burner, Models A, B and E, under the additional names of Mazda Oil Burner, Models A, B and E and Great Eastern Oil Burner, Models A, B and E.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Silent Heat Oil Burner, Models A, B and E for domestic and commercial installations, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards, *on condition* that there shall be permanently attached to each burner installed a label reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 23-37-SA.

Resolved further, that this device may also be marketed under the names of Edison Oil Burner, Models A, B and E, as the Stromberg Oil Burner, Models A, B and E, as the Ideal Oil Burner, Models A, B and E, as the Benat Oil Burner, Models A, B and E, as the Creveling Oil Burner, Models A, B and E, as the Hillcrest Oil Burner, Models A, B and E, as the Sun-Glo Oil Burner, Models A, B and E, as the Capitol Oil Burner, Models A, B and E, as the Master Gulf Oil Burner, Models A, B and E, as the Mazda Oil Burner, Models A, B and E and Great Eastern Oil Burner, Models A, B and E, provided that under whichever name marketed the requirements herein shall be complied with.

248-37-SA.

APPLICANT—John J. Morro, for Paragon Oil Burner Corp., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re inclusion of additional

Models, A50, A75, A180, AF20 and AB20—re Paragon Oil Burner.

APPEARANCES—

For Applicant: John J. Morro.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(248-37-SA)

WHEREAS, Samuel W. Ross, for Paragon Oil Burner Co., Inc., owner, filed May 28, 1937, an application with the Board of Standards and Appeals for approval of their device known as Paragon Oil Burner, Model A-25; and

WHEREAS, this device was submitted to the engineer of the board and the Division of Combustibles of the Fire Department for test; and

WHEREAS, report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles, was substantially as follows:

This burner is of the pressure atomizing gun type and is installed in a domestic type steam heating boiler. The assembled burner consists of the following: Ohio ⅛ H.P. motor; Tuthill fuelstat consisting of pump, strainer and regulating valve; Sirocco type fan and Detroit lubricator nozzle. Nozzle capacity 1.35 to 3½ gallons per hour.

Ignition—electric. Webster transformer 110 to 10,000 volts.

Controls—Mercoid steam switch and pyrotherm.

With the oil supply shut off and a cold combustion chamber, the burner was operated and on two successive tests, the controls functioned as designed, and shut down the operation of the burner in 63 and 65 seconds, respectively. The burner was then put into operation for approximately one hour, and during the period of test, there was no flare back due to faulty ignition. The flame was clean and free of smoke. Examination of the electrodes and combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Paragon Oil Burner, Model A-25, be approved for domestic and commercial use with fuel oil not heavier than No. 3 U. S. Department of Commerce standards and when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals.

and

WHEREAS, this model A-25 was approved June 27, 1937 and owner, through its agent, John Morro, requested an amendment of the resolution to include additional models; and

WHEREAS, the application was reopened and the matter referred to the committee on tests; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

December 4, 1939

Cal. No. 248-37-SA.

Subject: Paragon Oil Burner. Additional Models A50, A75, A180, AF20 and AB20, Amendment of resolution and approval of.

Under date of June 29, 1937 the Board of Standards and Appeals approved the Paragon Oil Burner, Model A-25. Request has been made by John J. Morro, representing the Paragon Oil Burner Corp., owner, for a reopening of the application and approval of Models A-50, A-75, A-180, AF-20 and AB-20, under the provisions of C19-57.0 Administrative Code and the Oil Burner Rules of the Board of Standards and Appeals.

MINUTES

The application was reopened by vote of the Board on September 12, 1939, and referred to the Committee on Tests for report.

Inspection and tests of these models were made at the plant of the Paragon Oil Company November 24, 1939.

Model A-50 is identical in construction with A-25, previously approved by the Board, except that it has a larger fan and a 4-inch air tube for greater air delivery.

Model A-75 is identical with A-50, except that the pump carries a strainer area of $7\frac{1}{2}$ inches.

Model A-180 is similar to A-25, except that it is larger throughout and is equipped with a $\frac{1}{3}$ h.p. motor, twin ignition transformers and two sets of electrodes and is adaptable for use with two nozzles.

Model AF-20 is similar to A-25, except that the housing has been turned vertical to permit a transformer to be mounted above the motor and is equipped with a flange to permit bolting to boiler base.

Model AB-20 is similar to AF-20, except for bolting flange.

Test conducted with oil shut off showed that the burner shut down in 90 seconds. There were no undue carbon deposits and the flame was bright and clear.

All models are equipped with safety controls: Minn. Honeywell R117-A relay, L404 Pressuretrol, L170 Aquastat, J11A thermostat model. B20 has Newark Low Water; and models A-50, A-75, A-180 have been approved by the Underwriters Laboratories. Misc. Pet. 1136 Appl. 36C890. 3.7.c 890.

It is recommended that the resolution adopted by the Board June 29, 1937, be amended to include Models A-50, A-75, A-180, AF-20 and AB-20 under the conditions set forth in the resolution.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHRLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Paragon Oil Burner, Models A-25, A-50, A-75, A-180, AF-20 and AB-20, for domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report and when used with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards *on condition* that there shall be permanently attached to each burner installed a label reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. NO. 248-37-SA.

MATERIALS SUBMITTED FOR APPROVAL

1010-39-SM.

APPLICANT—Hardwood Products Corporation, owner.
SUBJECT—Hardwood Products Corporation Fire-Resistive Wood Doors—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1225-39-SM.

APPLICANT—Sloan Valve Company, owner.
SUBJECT—Sloan V-90-A Vacuum Breaker, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

990-39-SM.

APPLICANT—Mallory Fittings Company, owner.

SUBJECT—Mallory Fill Pipe Terminal, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(990-39-SM)

WHEREAS, the Mallory Fittings Company, owner, filed July 24, 1939, an application with the Board of Standards and Appeals for approval of the material, known as the Mallory Fill Pipe Terminal for fuel oil; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

November 21, 1939

Cal. 990-39-SM.

Subject: Mallory Fill Pipe Terminal,
Approval of.

The Mallory Fittings Co. of 223 Suydam avenue, Jersey City, N. J. filed July 24, 1939, an application with the Board of Standards and Appeals for approval of the Mallory Fill Pipe Terminal for fuel oil, under the provisions of C19-57.0 Administrative Code and the Oil Burner Rules of the Board of Standards and Appeals.

This fill pipe terminal is of cast grey iron, containing 50% steel scrap and is hot galvanized. The seal cap is of red composition cast brass. Proper threading is provided for both seal cap and fitting. The outer flange of the fitting is provided with three lugs and an oilproof gasket is provided.

Tests of this material were conducted and found satisfactory.

It is recommended that the Mallory Fill-Pipe Terminal be approved for use in New York City, on condition that this device shall be installed in accordance with the oil burner rules of the Board of Standards and Appeals and shall comply with the following requirements:

The fill pipe terminal body shall be of cast grey iron or malleable iron and heavily plated with cadmium or hot galvanized; that the seal cap shall be of cast brass or cast bronze or of malleable iron plated as required for body. All threading shall be done after plating.

The fill pipe terminal shall be provided with at least three (3) lugs on the outside, so that the fill pipe terminal can be imbedded in concrete or masonry to prevent the terminal from being loosened from the fill line or in lieu thereof, the fill pipe terminal shall be fastened to the fill line by means of an Allen or similar set screw.

The outer flange of fill pipe terminal shall be provided with letters no less than $\frac{1}{2}$ inch in height and raised $\frac{1}{16}$ inch reading "Fuel Oil" and with the calendar number under which the fill pipe terminal was submitted for approval in smaller letters.

MINUTES

The fill pipe terminal shall have not less than ten machine-cut threads on the nipple end and not less than seven on the seal-cap. *

An oil-proof gasket shall be provided, inserted in a groove in the nipple end of the fill pipe terminal, so that it cannot readily be removed, in order to render the fill pipe terminal vaporproof at all times when not in use.

A screen of mesh with $\frac{1}{8}$ in. openings may be provided to safeguard against entry of foreign matter into the fill pipe.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material, on certain conditions.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Mallory Fill Pipe Terminal for fuel oil, *on condition* that the material be manufactured, installed and labelled in accordance with above report.

1123-39-SM.

APPLICANT—Tuckahoe Stucco Corporation, owner.

SUBJECT—Keentex Colored Plaster, approval of.

APPEARANCES—

For Applicant: Laurence A. Pittore.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1123-39-SM)

WHEREAS, The Tuckahoe Stucco Corporation, owner, filed September 12, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Keentex Colored Plaster; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:
REPORT OF COMMITTEE ON TESTS

November 30, 1939.

Cal. No. 1123-39-SM.

Subject: Approval of Keentex Colored Plaster.

The Tuckahoe Stucco Corporation, owner, filed on September 12, 1939, an application with the Board of Standards and Appeals for approval of the material known as Keentex Colored Plaster, as manufactured by the Tuckahoe Stucco Corporation.

This plaster is used as a finish material for use over gypsum brown, a Portland brown coat or a combination gypsum Portland cement brown. The material is composed of Keene's cement, crushed and graded dolomite marble, hydrated lime and mineral oxide color, supplied in textures float and smooth finishes in various colors.

This material was subjected to a one-hour fire test at the Protexol Laboratories of a panel 14 by 28 inches, constructed of 2 by 4 in. wood studs, 12 inches on centres, on both sides with metal lath and plaster divided into two sections, the finish coat of the upper section being Keentex colored plaster and of the lower section, ordinary lime putty finish plaster. At the end of one hour standard fire test, the lower section on the fire side showed cracks; the upper section was in almost perfect condition. No fire or smoke passed through the partition and the transmitted heat at the end of 45 minutes was only 190°F. An examination after the

fire, indicated that the studs were carbonized to a depth of about $1\frac{1}{2}$ to 2 inches, but the plaster was intact.

On the basis of this test, it is recommended that the Keentex Colored Plaster be approved for use as a substitute for the finish (gypsum) coat only when applied in a thickness of not less than $\frac{3}{16}$ of an inch in thickness, under C26-463.0 (8.4.10.7) C26-464.0 (8.4.10.8) and C26-312.0 (7.1.1.7.4) Administrative Building Code, on partitions having a fire resistive rating.

It is further recommended that it be applied in accordance with the requirements and that each bag of the material be marked or labelled "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1123-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of the material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Keentex Colored Plaster, *on condition* that the material be manufactured and labelled, stamped or tagged in accordance with above report.

1319-39-SM.

APPLICANT—George E. Strehan, for Atlantic Metal Products, Inc., owner.

SUBJECT—Atlantic Hollow Metal Door, Flush Type, approval of.

APPEARANCES—

For Applicant: George E. Strehan and George Weiterer.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1319-39-SM)

WHEREAS, George E. Strehan, for Atlantic Metal Products, Inc., owner, filed October 25, 1939, an application with the Board of Standards and Appeals for approval of the material, known as the Atlantic Hollow Metal Fire Door, Flush Type, for fire resisting ratings up to 3 hours; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF THE COMMITTEE ON TESTS

Cal. 1319-39-SM November 2, 1939

Subject: Atlantic Hollow Metal Fire Door, Flush Type, for fire resistive ratings up to 3 hours.

George E. Strehan, for Atlantic Metal Products, Inc., of New York City, filed on October 25, 1939, an application with the Board of Standards and Appeals for approval of a swinging flush type door, under the provisions of C26-660.0 (10.8.1). Administrative Building Code, protective opening in fire walls, which requires a fire resistive rating of 3 hours based on fire tests as described in the Administrative Building Code.

The type of door offered for test and approval was assembled to specifications as follows:

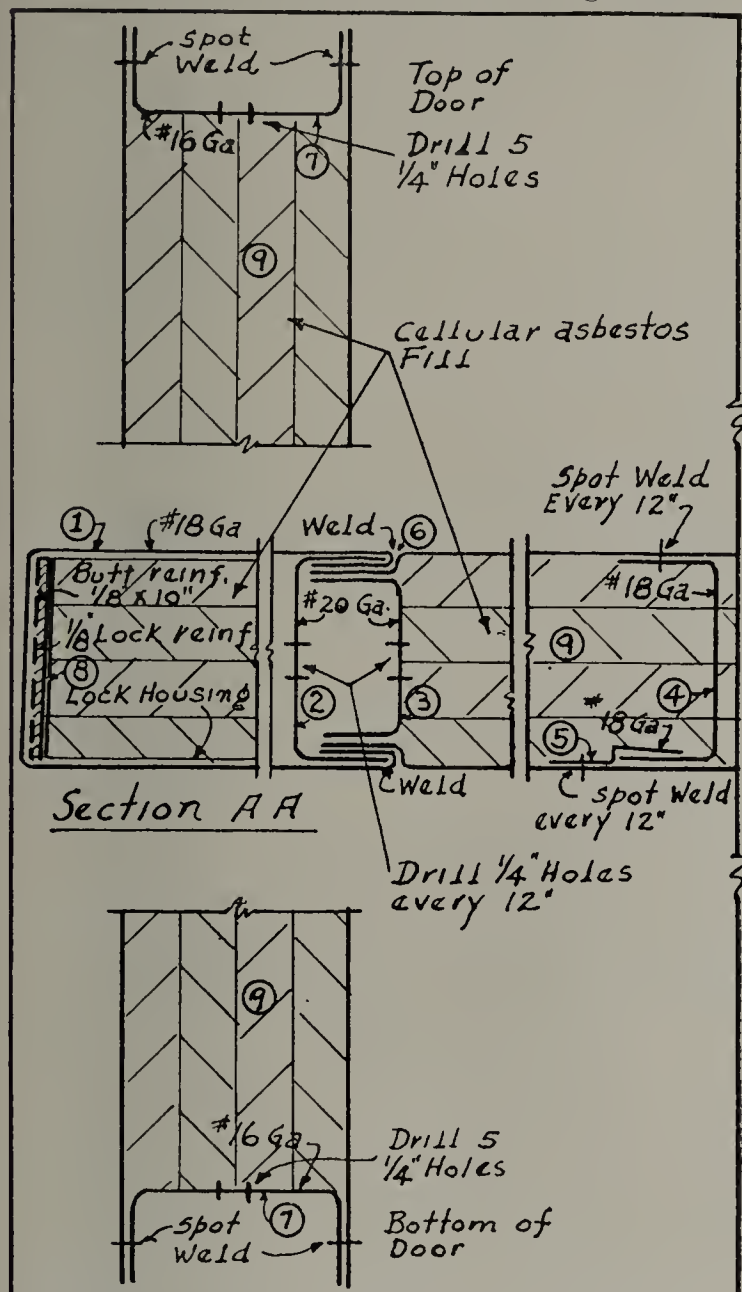
Atlantic Hollow Metal Door, Flush Type

This door is of hollow steel construction with overall dimensions of $3' 3\frac{3}{4}" \times 6' 11\frac{5}{8}" \times 1\frac{1}{8}"$ and of specifications and fabrication as follows:

The stiles (fig. 1) are formed of hollow metal, No. 18 U. S. Gauge, with integral grooved inside edges to receive the continuous interlocking channel (fig. 2)

MINUTES

of No. 20 U. S. gauge steel placed in both stiles for their full length and width, thus forming tubes.



The flush panel is set between both stiles full height of door with returned fins on door stiles. Continuous channels are mounted in these fins and spot welded (fig. 3). The outer shell of panel is formed of No. 18 U. S. gauge steel reinforced with No. 18 gauge channels (fig. 4) and interlocking Z's (fig 5) running continuously the full height of panel and placed about 10" on centers.

The seams (fig. 6) between flush panel and door stiles are electric welded and filled with metal. The top and bottom of door has No. 16 gauge steel channels (fig. 7) with 1/4" vent holes, and the full width of doors spot welded to stiles and flush panel.

Both door stiles and flush panel are filled with cellular asbestos at least 1 5/8" in thickness.

All cutting for hinges and lock is made by template in the shop with 1/8" thick reinforcing plates (fig. 8) welded to lock and hinge stiles and drilled and tapped to secure lock and hinge screws. Face of lock stile is drilled and tapped for escutcheon plates.

Door is hung in No. 16 U. S. gauge or heavier steel combination buck and trim, equipped with hardware reinforcements for hinges with lock strike welded to the jamb portions. All reinforcing plates for hinges is at least 1/8" in thickness. Lock strike reinforcement is No. 12 U. S. gauge.

Each jamb of the door frame is provided with not less than three corrugated strip steel anchors for attachment to masonry wall or partition.

An alternate buck with applied trim all of similar construction to the above is offered as an alternate for the combination buck where required.

Tests, of the sample inspected during process of manufacture, by the Board, were performed at the Protexol Testing Laboratory at Kenilworth, N. J. (report filed herewith) under the supervision of Mr. Rollin C. Bastress, Director of the laboratory. These tests were conducted in accordance with the requirements of Group 5, Sub. Art. 1 (10.1.5.1) of the Administrative Bldg. Code.

The test door was set in a movable steel frame hinged to the walls of the furnace. In this frame the opening protective assembly was hung on 1 1/2 pair of 5" x 5" mortised steel butts and with clearances of 3/16" on sides, top and bottom, and hung so as to swing toward the fire. The door was equipped with a Corbin Cylinder Lock (Front Door Set No. B-702842) of wrought bronze with escutcheon plates.

The test furnace was a brick structure 10' x 12' x 2' with a swinging door having a rough opening 62" x 93" for receiving the test sample. In front of the furnace is a vestibule about 8' x 8' which provides facilities for observation of smoke and flame passage as well as temperature rise. Apparatus is also provided for observing draft conditions. Gas flames were applied with suitable controls for regulating temperature.

The test was then conducted in conformity with the standard time-temperature curve and maintained within the 5% tolerance. At the end of the three hour fire test the furnace door was opened and the hose stream test as provided for in Group 9 Sub. Art. 1 (10.1.9) was applied for a period of one minute without appreciable effect upon the structural condition of the opening protective assembly. After the hose stream test, the door was disengaged from the lock stile and swung open on its hinges. The lock stile was found to be warped about 1 1/8" from top to bottom but the assembly as a whole, though slightly warped, was serviceable.

Result of Tests.

The opening protective assembly as previously described, successfully withstood the fire and hose stream tests as required by the Adm. Bldg. Code. There was no passage of flame and the smoke that occurred was slight and due to the painted surface of the door. Statements in the Laboratory report with respect to conditions in the vestibule are not subscribed to by the test committee.

The temperature during the tests were as follows:

Time	Furnace Temperature	Unexposed surface of door Temp.
3/4 hr.	1640° F.	760° F.
1 hr.	1700° F.	826° F.
1 1/2 hr.	1786° F.	912° F.
3 hr.	1924° F.	1010° F.

Note: Initial air temperature was 56° F.

While the rise in temperature of the unexposed surface was slightly excessive, the excellent behavior of the assembly during the fire test and the soundness of the construction of the opening protective assembly was of such character as to justify the recommendation for acceptance of this opening protective assembly under C26-610.0 (10.1.18).

Recommendation.

On the basis of the foregoing data, the committee recommends the approval of the Atlantic Hollow Metal Flush Type Door as made by the Atlantic Metal Products, Inc., of Long Island City, N. Y., when constructed exactly in accordance with details as set forth hereabove for use when used alone as an opening protective assembly for fire walls requiring a rating of three hours under C26-660.0 (10.8.1) Administrative Building Code.

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Approval is also recommended of the opening protective assembly for use in openings requiring a lower fire resistive rating when constructed and equipped as described above, for use in fire partitions under C26-661 Adm. Bldg. Code (10.8.2) and C26-665 Adm. Bldg. Code (10.8.5) where a 1½ hr. fire resistive rating is required and for use as an opening protective assembly under the provisions of the Multiple Dwelling Law wherein the requirements of a door for use in a fireproof partition is a one-hour fire resistance rating, and for fireproof partitions C26-662.0 Adm. Bldg. Code (10.8.3) wherein a ¾ hour fire resistive door is required. The use of this door in pairs with astragal is not to be permitted since the door was not tested for such use.

It is further recommended that in whatever Borough these doors are furnished, the applicant shall notify the superintendent of buildings of his intent to furnish doors so that examination can be made for compliance with the requirements of this approval, or in lieu thereof, such doors may be inspected and labelled by an inspection agency acceptable to the board.

Each door when found by the superintendent as meeting the requirements of this approval, shall have a metal label affixed thereon reading: "Approved by the Board of Standards and Appeals for use in New York

City under Cal. No. 1319-39-SM", or in lieu thereof a die or stamp be made which shall bear the following inscription within a circle, around the periphery, at the top, the word: "App'v'd"; along the bottom: "B. S. & A."; in the center, two lines, upper line reading: "N.Y.C.", lower line reading: "Cal. No. 1319-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Atlantic Hollow Metal Fire Door, Flush Type for fire use with ratings up to 3 hours, *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

Adjourned, 4:00 P. M.

JOSEPH J. DOYLE, *Chief Clerk.*

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Borough Superintendent of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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- 3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.
- 3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

- 4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.
- 4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.
- 4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.
- 4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.
- 4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.
- 4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.
- 4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.
- 4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

- 4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

- 4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.
- 4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.
- 4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.
- 4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.
- 4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.
- 4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.
- 4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.
- 4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.
- 4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction.
- 4.4.1 Artificial lighting shall be only by means of electricity.
- 4.5 LIGHTING FIXTURES.
- 4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

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4.5.2 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.

4.5.3 No pin plug receptacles shall be used.

4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.

4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:

6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.

6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.

6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.

6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.

6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.

6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.

6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

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- 6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.
- 6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.
- 6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
- Rule 3.1 Air Exhaust System.
- 3.2 Air Supply and Mixing.
- Rule 4.1 Construction of Spray Booths.
 - 4.1.3 Surfacing of Booths.
 - 4.1.5 Surfacing of Booths.
 - 4.2.2 Maintenance of Ducts.
 - 4.2.5 Electric Lighting.
 - 4.2.6 Method of Induced Draft.
 - 4.4 Separation of Booth from Flame.
 - 4.4 Location of Motors.
- Rule 5.1 Certificate of Fitness.
- 5.2 Smoking, Matches, etc.
- 5.6 Maintenance of Equipment.
- 5.7 Cleaning Implements.
- 5.9 Fire Appliances.
- 5.10 Accumulation and disposal of waste materials.
- 5.12 Motor Vehicles in booths or rooms.
- Rule 6. Storage and Mixing.
- Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Automatic Paint Sprayer.....	477-37-SA.	Milburn Spray Painting Equipment.....	492-38-SA.
Binks-Hu-Ro-Thor-Hurley Spray Equipment...	338-32-SA.	Paasche Spray Painting Equipment.....	363-32-SA.
De Vilbiss Spray-Painting Equipment.....	336-32-SA.	Sharpe Spray Guns, Models B-21, C-21, RA-21,	
Eclipse Spray Painting Equipment.....	151-38-SA.	RC-21, GA-37, GC-37, Bear-Cat, K, KF, KO,	
Eureka Paint Sprayer.....	478-37-SA.	L, M-2, M-4, FA-36 and FC-36.....	604-38-SA.
		Spraco Spray Painting Equipment.....	479-32-SA.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, *Chairman*

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLAGOTT

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

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- Docket.
- Court Decisions.
- Rules Directory.
- The Hearing Calendar.

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Minutes of Regular Meeting December 12, 1939, at 2 P. M., Affecting Calendar Numbers 971-27-BZ, 314-35-BZ, 696-39-A, 697-39-A, 1111-39-A, 1184-39-A, 1427-39-A, 1430-39-A, 1432-39-A, 1453-39-A, 1456-39-A, 1457-39-A, 1476-39-A, 1383-39-A, 1424-39-A, 1064-39-A, 1072-39-A, 1089-39-A, 1325-39-A, 1330-39-A, 1331-39-A, 1342-39-A, 1394-39-A, 1395-39-A, 1410-39-A, 1434-39-A, 1442-39-A, 1450-39-A, 1452-39-A, 1458-39-A, 726-29-A and 1390-39-S.

Correction Affecting Calendar Number 1087-39-A.

Smoking in Factory, Rules.

Rules for Inspection of Approved Opening Protective Assemblies.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET

New Cases Filed up to December 12, 1939

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>
1481-39-A.....	H.B.M.....	9-15 East 135th street, north side, 100 ft. east of Fifth avenue and 10-16 East 136th street (Block No. 1760, Lot No. 5), Borough of Manhattan, F.P. Applic. 569-39.
1482-39-SM.....	L. I. C. P.	Concrete Building Blocks, manufactured by L. I. Cement Products Company, Material.
1483-39-BZ....	H.B.M.....	39 Kenmare street and 163 Elizabeth street, northwest corner (Block No. 479, Lot Nos. 24, 125 and 26), Borough of Manhattan, N.B. 188-39.
1484-39-SM.....	Champion Gray Devil Welding Electrodes, Champion Blue Devil Welding Electrodes and Champion Black Devil Welding Electrodes, manufactured by The Champion Rivet Company,	Material.
1485-39-SM.....	Tybrick (Clay Building Block), manufactured by Tybrick Corporation,	Material.
1486-39-A.....	H.B.Q.....	104-05 35th avenue, north side, 170.20 ft. west of 105th street (Block No. 1744, Lot No. 31), Corona, Borough of Queens, Alt. 2735-39.
1487-39-A.....	H.B.Q.....	Southeast corner of Fernside place and Edgemere avenue (Block No. 266, Lot No. 20), Far Rockaway, Borough of Queens, M. Applic. 3584-39.
1488-39-A.....	H.B.Q.....	213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft., and 302.27 ft. east of Bell boulevard (Block No. 6116, part of Lot No. 20 and Block No. 6118, part of Lot No. 1), Bayside, Borough of Queens, (Under section 35, General City Law re Bed of Mapped Street), N.B. 9659-39, N.B. 9660-39 and N.B. 9661-39.
1489-39-A.....	H.B.M.....	1482-1490 Broadway and 146 West 43rd street, southeast corner (Block No. 995, Lot No. 57), Borough of Manhattan, N.B. 18-39.
1490-39-BZ....	H.B.Bx....	790-808 East 176th street, south side, 147 ft. west of Marmion avenue and 807 East 175th street (Block No. 2953, Lot No. 29), Borough of The Bronx, Alt. 778-39.
1491-39-A.....	F.D.....	30-02 to 31-20 Starr avenue, west side, 204.6 ft. south of Borden avenue (Block No. 296, Lot No. 51), Long Island City, Borough of Queens, 3185-L.F. and Decision.
1492-39-BZ....	H.B.B.....	632-636 Ralph avenue, 1181-1201 East New York avenue, northwest corner and 1924-1946 Union street, southwest corner of Ralph avenue (Block No. 1405A (1399), Lot No. 125), Borough of Brooklyn, B.N. 8108-39.
1493-39-BZ....	H.B.Q.....	88-05 to 88-11 168th place, east side, 37.50 ft. south of 88th avenue (Block No. 9820, Lot Nos. 38 and 41), Jamaica, Borough of Queens, Misc. Applic. 9019-39.
1494-39-A.....	H.B.M.....	60-74 Gansevoort street and 809-813 Washington street, southeast corner (Block No. 643, Lot Nos. 41 to 48 inclusive), Borough of Manhattan, Alt. 3384-39 to Alt. 3389-39, inclusive.
1495-39-A.....	H.B.M.....	2305 Twelfth avenue, east side, 30 ft. north of west 131st street (Block No. 1998, Lot No. 3), Borough of Manhattan, N.B. 213-39.
<i>Restored to Calendar</i>		
1458-39-A.....	F.D.....	754-764 Pacific street, south side, 120 ft. east of Sixth avenue and Carlton avenue (Block No. 1129, Lot No. 13), Borough of Brooklyn, 3262-L.F. and Decision.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

COURT DECISIONS

Matter of General Outdoor Advertising Co., Inc. (Murdock, &c.)— On March 14, 1939, Board affirmed decision of Borough Superintendent of Buildings, denying extension in height of an existing roof sign under Section 211 of the Multiple Dwelling Law, holding sign to be a superstructure, Cal. No. 95-39-A, Premises 141-153 Lincoln Avenue, Borough of The Bronx. Mr. Justice McGeehan sustained Board (N.Y.L.J., June 10, 1939).
Appellate Division unanimously affirmed order of Special Term, "without prejudice to the filing of an amended application by petitioner which shall conform to the statute (sec. 101, article 4, title 1 of the Multiple Dwelling Law)." (N.Y.L.J., December 16, 1939).

Matter of Dugal and ano. v. Murdock et al— On July 18, 1939, Board denied, in business district, application for temporary parking and storage of more than five motor vehicles, under section 7-h, Cal. No. 1047-38-BZ, premises 750-756 St. Nicholas Avenue, Borough of Manhattan. Mr. Justice Pecora sustained Board (N.Y.L.J., December 15, 1939), holding the action of the Board was not arbitrary, unreasonable or capricious; "that the refusal to grant the application may cause a financial loss to the applicant is not sufficient to warrant a variance" and "the fact that other applications have been granted in the same area is no justification for additional variance".

CALENDAR

RULES

Last Publication in Bulletin

Carbon Dioxide Liquefier Rules	Oct.	31, 1939—Vol. 24, No. 44
Certificate of Occupancy, approved form	Aug.	23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules	Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June	15, 1937—Vol. 22, No. 24
Factory Exit Rules	Oct.	24, 1939—Vol. 24, No. 43
Fire Alarm Rules (Interior)	Sept.	12, 1939—Vol. 24, No. 37
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Fire Retarding Rules for Garages, etc.	Nov.	7, 1939—Vol. 24, No. 45
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Frame Garages, Ruling for	Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Aug.	15, 1939—Vol. 24, No. 33
Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10, No. 14
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DECEMBER 19, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December 19, 1939, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 1113-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frieda D. Waters, applicant and owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises 1913-1929 Bay avenue, north side, 106 ft. 3½ in. east of East 19th street (Block No. 6748, Lot No. 97 and part of Lot No. 92), Borough of Brooklyn.

CAL. NO. 1121-39-BZ—Application, September 8, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Annie Herzfeld, Lillian Klinghoffer and Clifford W.

Wentz, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue (Block No. 4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn.

CAL. NO. 1260-39-BZ—Application, October 13, 1939, under section 7c of the building zone resolution, of Thomas J. Curran, applicant, on behalf of South Brooklyn Savings Bank, owner, to permit the extension of a proposed bank building from a business use into a residence use district; premises 6422-6424 18th avenue and 1771-1775 65th street, northwest corner (Block No. 5546, Lot Nos. 50, 53, 57 and 58), Borough of Brooklyn.

CAL. NO. 186-37-BZ—Application of William Shary, applicant, on behalf of Aaron Rabinowitz, James L. Clare and Lawrence N. Martin, as trustees of Series F-1, owner (Reuben Nathan, lessee), reopened under new proposal June 27, 1939, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously denied re parking of more than five (5) motor vehicles); premises 709-719 Westchester avenue, 721-725 Forest avenue, northwest corner and 712-724 Jackson avenue (Block No. 2645, Lot No. 5), Borough of The Bronx.

CAL. NO. 1194-39-BZ—Application, September 28, 1939, under sections 7a and 21 of the building zone resolution, of Warden H. Fenton, Director of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district, the erection and maintenance of a laundry which is accessory to a correctional institution; premises north side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx.

CAL. NO. 1189-39-BZ—Application, September 27, 1939, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of William Jacobia and Albert Jacobia, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 136-05 32nd avenue and 31-51 Linden place, northeast corner (Block No. 4409, Lot No. 1), Flushing, Borough of Queens.

CAL. NO. 637-39-BZ—Application, May 17, 1939, under section 21 of the building zone resolution, of Gilbert Miles Ramsey, applicant, on behalf of Shell Oil Co., Inc., owner, to permit in a business use district, the extension of an existing gasoline service station; premises 63-56 Austin street and 91-39 63rd drive, southwest corner (Block No. 3103 (1897), Lot No. 43), Rego Park, Borough of Queens.

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CAL. NO. 767-39-BZ—Application, June 9, 1939, under section 21 of the building zone resolution, of Judson E. Schnall, applicant, on behalf of Estate of Benjamin Anchell and Philip Levison, owners (Thomas Kaltenbach, lessee), to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

CAL. NO. 181-39-BZ—Application, February 14, 1939, of Joshua Hochstein, applicant, on behalf of Frances Landa and Fannie Hochstein, owners, reopened and restored to calendar October 10, 1939, under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop, machine shop and garage for more than five (5) motor vehicles (previously dismissed for lack of prosecution); premises 45-37 to 45-55 50th (Fitting) street, east side, 400 ft. south of Queens boulevard (Block No. 2283, Lot No. 1), Woodside, Borough of Queens.

CAL. NO. 310-39-BZ—Application, March 13, 1939, under sections 7h and 21 of the building zone resolution, of Alexander Ketterson, applicant, on behalf of Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

CAL. NO. 657-39-BZ—Application, May 19, 1939, under sections 7c and 21 of the building zone resolution, of Frank Verdi, applicant, on behalf of Henry A. Thelluson, Receiver (George and F. J. Verdi, lessees), to permit in a residence use district and, also, on a street between two (2) intersecting streets in which portion there exists an exit and an entrance to a public school, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles; premises 353-355 West 48th street, north side, 204 ft. east of Ninth avenue (Block No. 1039, Lot No. 9), Borough of Manhattan.

CAL. NO. 459-39-BZ—Application, April 12, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicant, on behalf of Leon K. Rockmore, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 19, 1939, 2 P. M.

Appeals from Administrative Decisions

1184-39-A—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn (Under Section 36, General City Law).

1427-39-A—168-170 East 116th street, south side, 181 ft. 8 in. east of Lexington avenue (Block No. 1643, part of Lot No. 44), Borough of Manhattan.

1430-39-A—130 Amity street, south side, 217 ft. east of Henry street (Block No. 296, Lot No. 15), Borough of Brooklyn.

1432-39-A—429-433 East 164th street, north side, 120 ft. east of Brook avenue (Block No. 2386, Lot No. 5), Borough of The Bronx.

1453-39-A—165-18 South road, south side, 110.63 ft. east of 165th street (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.

1456-39-A—North side of Cross Island parkway, 620 ft. west of Douglaston parkway (Block No. 7720, Lot No. 100), Douglaston, Borough of Queens.

1457-39-A—West side of Cross Island parkway, 250 ft. north of West Alley road (Block No. 7720, Lot No. 1), Douglaston, Borough of Queens.

1476-39-A—120-87 Queens boulevard, northwest corner of 82nd avenue (Block No. 2274, Lot No. 74), Kew Gardens, Borough of Queens.

1344-39-A—319-327 McKibben street, north side, 120 ft. west of White street and 318-326 Boerum street (Block No. 3083, Lot No. 11), Borough of Brooklyn.

1292-39-A—43-10 21st street, southwest corner of 43rd avenue (Block No. 442, Lot No. 18), Long Island City, Borough of Queens.

1440-39-A—1806-1808 Third avenue, west side, 50 ft. 11 in. north of East 100th street (Block No. 1628, Lot Nos. 35 and 36), Borough of Manhattan.

1489-39-A—1482-1490 Broadway and 146 West 43rd street, southeast corner (Block No. 995, Lot No. 57), Borough of Manhattan.

1494-39-A—60-74 Gansvoort street and 809-813 Washington street, southeast corner (Block No. 643, Lot Nos. 41 to 48, inclusive), Borough of Manhattan.

1297-39-A—176 East 19th street, west side, 150 ft. north of Beverly road (Block No. 5122, Lot No. 30), Borough of Brooklyn.

1433-39-A—32-42 and 32-52 33rd street, west side, from 400 ft. to 600 ft. south of Broadway (Block No. 612, Lot Nos. 53 and 57), Long Island City, Borough of Queens.

1445-39-A—47-46 11th street, northwest corner of 48th avenue (Block No. 45, Lot No. 22), Long Island City, Borough of Queens.

1461-39-A—143-49 Barclay avenue, north side, 100 ft. northwest of Parsons boulevard (Block No. 885, Lot No. 37), Flushing, Borough of Queens.

1177-39-A—60-19 to 60-21 Roosevelt avenue, northeast corner of 60th street (Block No. 1229, Lot No. 16), Woodside, Borough of Queens.

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Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December 19, 1939*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 736-38-BZ—Application of Rockefeller Center, Inc., applicant and lessee (The Trustees of Columbia University in the City of New York, owner), reopened November 28, 1939 for consideration re amendment of resolution—re Application, to permit in a retail use district, the installation of a gasoline dispensing system, with sale of gasoline to patrons and to service cars with oil and lubrication, in a garage (permission to erect which was granted by the Board under section 7g of the building zone resolution), on the 48th street side of building; premises 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

CAL. NO. 971-27-BZ—Application of Assets Funding Corporation, lessee, and George W. Perkins and Dorothy P. Freeman, owners, reopened November 14, 1939 re amendment of resolution as to additional use as an automobile repair shop—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 270 Dyckman street, south side, 488.11 ft. west of Broadway (Block No. 2246, Lot No. 43), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, January 3, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 845-39-BZ—Application, June 23, 1939, under section 21 of the building zone resolution of Sidney H. Kitzler, applicant, on behalf of Harris Goody Realty Co., Inc., owner (Jack Nelson, lessee), to permit in a business use district, the erection of an accessory building on an existing gasoline service station; premises 253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

CAL. NO. 902-38-BZ—Application, October 18, 1938, under section 21 of the building zone resolution, of John R. Kilpatrick, applicant, on behalf of Madison Square Garden Corporation, owner, to permit in a residence use district and, also, within 200

feet of a hospital, the parking and storage of more than five (5) motor vehicles; premises 337-341 West 49th street, north side, 225 ft. east of Ninth avenue and 348-352 West 50th street (Block No. 1040, Lot Nos. 54, 55, 9, 10, 11 and part of Lot No. 14), Borough of Manhattan.

CAL. NO. 566-39-BZ—Application, May 3, 1939, under section 7h of the building zone resolution, of Nicholas F. Walsh, applicant, on behalf of Nicholas F. Walsh, Helen A. Walsh, Joseph A. Walsh, Mary A. Walsh and John A. Walsh, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 140 Post avenue, west side, 100 ft. north of West 207th street (Block No. 2223, Lot No. 22), Borough of Manhattan.

CAL. NO. 1392-39-BZ—Application, November 9, 1939, under section 7h of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of 870 Eighth Avenue Corporation, owner, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

CAL. NO. 148-35-BZ—Application of William J. Minogue, applicant, on behalf of 170 Dyckman Street Corporation, owner, reopened June 7, 1939, under sections 7a and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the conversion of occupancy of the 2nd story of an existing building from office use, previously granted by the board, to bowling alleys; premises 168-170 Dyckman street, west side, 100 ft. north of Sherman avenue and 71 Thayer street (Block No. 2175, Lot No. 70), Borough of Manhattan.

CAL. NO. 422-39-BZ—Application, April 4, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Bonded Lien Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 305-313 21st street and 697-705 Sixth avenue, northwest corner (Block No. 892, Lot No. 1), Borough of Brooklyn.

CAL. NO. 534-39-BZ—Application, April 27, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Emil Lazansky, owner, to

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permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest corner (Block No. 3237, Lot No. 33), Borough of Brooklyn.

CAL. NO. 390-39-BZ—Application, March 29, 1939, under sections 7h and 21 of the building zone resolution, of John B. Leonard, applicant and lessee, on behalf of Ruth Allison Lilly, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1337 Leland avenue and 1850-1852 East 177th street, southwest corner (Block No. 3879, Lot Nos. 33, 34 and 37), Borough of The Bronx.

CAL. NO. 1017-39-BZ—Application, July 31, 1939, under section 7h of the building zone resolution, of Edward J. Carr, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 448-452 East 189th street, south side, 89.02 ft. east of Third avenue (Block No. 3042, Lot Nos. 27 and 29), Borough of The Bronx.

CAL. NO. 1115-39-BZ—Application, September 11, 1939, under sections 7a and 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of Herblou Corporation, owner (Wyatt Iron Works, Inc., lessee), to permit the extension of an iron works from an unrestricted use district into a business use district; premises 1211 Wyatt street, northwest corner of Van Nest avenue (Block No. 3908, Lot Nos. 53 and 66), Borough of The Bronx.

CAL. NO. 517-39-BZ—Application, April 25, 1939, under sections 7h of the building zone resolution, of Thomas I. Sheridan, applicant and owner, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive and 30), Astoria, Borough of Queens.

CAL. NO. 1206-39-BZ—Application, October 3, 1939, under section 7a of the building zone resolution, of James Lewis Munson, applicant, on behalf of Menley & James, Ltd., owner, to permit upon a plot located partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a business building (storage of paper cartons); premises 91-17 to 91-27 138th place, northeast corner of Archer ave-

nue (Block No. 9981, Lot Nos. 26 and 20), Jamaica, Borough of Queens.

CAL. NO. 691-39-BZ—Application, May 23, 1939, under section 7a of the building zone resolution, of Thomas M. Bell, applicant, on behalf of Gainsborough Studios, Inc., owner, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the street; premises 222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1940, 2 P. M.

Appeals from Administrative Decisions

1369-39-A—70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1488-39-A—213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft. and 302.27 ft. east of Bell boulevard (Block No. 6116, part of Lot No. 20 and Block No. 6118, part of Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1370-39-A—595-597 Wales avenue, northwest corner of East 150th street (Block No. 2642, Lot Nos. 56-59), Borough of The Bronx.

1401-39-A—180 South street, west side, 140 ft. south of Roosevelt street (Block No. 110, Lot No. 14), Borough of Manhattan.

1414-39-A—331-353 McKibben street, northwest corner of Bogart street (2nd floor); (Block No. 3083, Lot No. 30), Borough of Brooklyn.

1400-39-A—64-88 Nostrand avenue and 563-569 Park avenue, northwest corner (1st floor, north); (Block No. 1718, Lot No. 1), Borough of Brooklyn.

1459-39-A—536-546 West 23rd street, south side, 225 ft east of 11th avenue (Block No. 694, Lot No. 58), Borough of Manhattan.

1481-39-A—9-15 East 135th street, north side, 100 ft. east of Fifth avenue and 10-16 East 136th street (Block No. 1760, Lot No. 5), Borough of Manhattan.

1406-39-A—175-177 North 7th street, north side, 175 ft. east of Bedford avenue and 182 North 8th street (Block No. 2320, Lot Nos. 30 and 31), Borough of Brooklyn.

1486-39-A—104-05 35th avenue, north side, 170.20 ft. west of 105th street (Block No. 1744, Lot No. 31), Corona, Borough of Queens.

1480-39-A—73-03, 73-07 and 73-11 185th street, southeast corner of 73rd avenue and east side of 185th street, 47.88 ft. and 87.88 ft. south of 73rd avenue (Block No. 7173, Lot No. 1), Flushing, Borough of Queens.

1512-39-A—157-21 Liberty avenue and 94-76 158th avenue, southwest corner (Block No. 10109, Lot Nos. 31 and 34), Jamaica, Borough of Queens.

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Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, January 3, 1940*, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:

CAL. NO. 351-35-BZ—Application of Jerrold Kane, applicant, on behalf of Camager Corporation, owner, reopened November 28, 1939 re extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the maintenance of a parking space for more than five (5) motor vehicles for a temporary period; premises 35-40 Junction boulevard, west side, 100.8 ft. north of 37th avenue (Block No. 1469, Lot Nos. 1 and 26), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 9, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 9, 1940*, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:

CAL. NO. 929-39-BZ—Application, July 11, 1939, under sections 7a and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Oliver S. Chatfield, owner, to permit in a business use district, the alteration of an existing garage and gasoline service station and the increase in area of the gasoline station by the relocation of the front wall of the garage; premises 97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

CAL. NO. 1006-39-BZ—Application, July 26, 1939, under section 21 of the building zone resolution, of George G. Miller, applicant, on behalf of Rolleen Realty Corporation, owner, to permit in a residence use district, the lowest level of a rear yard above the curb level; premises 61-70 Overlook terrace, southwest corner of West 187th street (Block No. 2180, Lot No. 46), Borough of Manhattan.

CAL. NO. 1116-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frederick E. Goldsmith, applicant, on behalf of Avenue "N" Operating Corporation, owner, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 1811-1819 McDonald avenue, east side, 60 ft. south of Avenue "P" (Block No. 6633, part of Lot No. 12), Borough of Brooklyn.

CAL. NO. 1132-39-BZ—Application, September 14, 1939, under sections 7c and 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of J. Clarence Davies, Inc. and Consolidated Edison Co. of New York, Inc., owners (F. W. Woolworth Co., lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an extension to an existing business building; premises 31-34 Westchester square, west side, 185.65 ft. south of Frisby avenue and 2580 Frisby avenue (Block No. 3984, Lot No. 30 and part of Lot No. 16), Borough of The Bronx.

CAL. NO. 670-39-BZ-WF—Application, May 22, 1939, under section 7h of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Traders Building Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-19 National avenue, 102-01 to 102-13 42nd avenue, 41-27 to 41-33 102nd street and 41-18 to 41-30 103rd street (Block No. 1976, Lot Nos. 7, 10 and 13 to 16, inclusive), Corona, Borough of Queens.

CAL. NO. 1152-39-BZ—Application, September 20, 1939, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corporation, owner, to permit in a residence use district, the erection and maintenance of two (2) multiple dwellings having garages for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 77-15 and 77-25 113th street, north side of 77th avenue, south side of 78th avenue, from 113th street to 113th place (Grand Central parkway extension); (Block No. 2269, Lot Nos. 2-24-32), Forest Hills, Borough of Queens.

CAL. NO. 455-39-BZ—Application, April 11, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Caroline B. Gale, owner (Jamaica Parking and Realty Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-11 166th street, east side, 45 ft. south of 89th avenue (Block No. 9798, Lot No. 22), Jamaica, Borough of Queens.

CAL. NO. 876-39-BZ—Application, June 29, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Anne Adelman and Henrietta Solomon, owners (Jamaica Parking and Realty Company, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-03 to 89-17 169th street and 169-02 to 169-10 89th avenue, southeast corner (Block No. 891, Lot Nos. 15 and 18), Jamaica, Borough of Queens.

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CAL. NO. 94-38-BZ—Application of Arthur W. Renander, applicant, on behalf of Jeho Company, Inc., owner (Jamaica Parking Company, Inc., lessee), reopened and restored to calendar May 9, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue and 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 951-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution, of Emil Koepfel, applicant, on behalf of Madeline Hecht, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn.

CAL. NO. 856-39-BZ—Application, June 26, 1939, under sections 7a and 21 of the building zone resolution, of Frank E. Wall, applicant, on behalf of Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station; premises 823 Forcst avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 16, 1940, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of

not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 16, 1940, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

JANUARY 23, 1940, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 23, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 71-35-BZ—Application of Abraham N. Horwitz, applicant, on behalf of John Krupski, owner, reopened December 5, 1939, re consideration as to extension of permit—permit having expired by limitation—re Application previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the maintenance of a garage for the storage of one (1) commercial motor vehicle for a temporary period; premises 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block No. 2725, Lot Nos. 412 and 414), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1940, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

REGULAR MEETING

TUESDAY MORNING, DECEMBER 12, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Wednesday morning, November 8, 1939 and the minutes of the regular meeting of the Board held on Wednesday afternoon, November 8, 1939, were approved as printed in Bulletin No. 46, Vol. 24.

BUILDING ZONE CASES

47-38-BZ.

APPLICANT—Herman Kron, for Harris Ratner, Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron, John G. Coleman and Joseph Ratner.

For Opposition: Nathan R. Frankel.

ACTION OF BOARD—Laid over to January 16, 1940 at 10 A.M., for further study by a committee of the board.

188-39-BZ.

APPLICANT—H. B. Pickering, for The Nicholls Holding Co., Inc., owner (R. M. B. Holding Corporation, lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—204-208 East 45th street, north side, 80 ft. east of Third avenue, 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive and 45 to 47, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: David Tishman.

For Opposition: Herman Grant and Julius Levy.

ACTION OF BOARD—Laid over to January 9, 1940 at 10 A.M., for further consideration by the board.

459-39-BZ.

APPLICANT—Lama and Proskauer, for Leon K. Rockmore, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Leon K. Rockmore and Louis Malin.

For Opposition: Moe Friedel, Mrs. Sarah Ep-

stein, Max Gottesman, Pauline Harris and Paul Friedman.

ACTION OF BOARD—Laid over to December 19, 1939, 10 A.M., for decision by the board.

691-39-BZ.

APPLICANT—Thomas M. Bell, for Gainsborough Studios, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7a of the building zone resolution, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the street.

PREMISES AFFECTED—222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas M. Bell.

For Opposition: None.

ACTION OF BOARD—Laid over to January 3, 1940, at 10 A.M., for further consideration by the board.

856-39-BZ.

APPLICANT—Frank E. Wall, for Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Frank E. Wall.

For Opposition: None.

ACTION OF BOARD—Laid over to January 9, 1940 at 10 A.M., applicant to file revised plans.

951-39-BZ.

APPLICANT—Emil Koepfel, for Madeline Hecht, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Maurice P. Davidson, C. A. Citron and Emil Koepfel.

For Opposition: George D. Friou, Isidore Edinger, B. M. Langstaff, Arthur E. Hodgkiss and Harold Klorfein.

ACTION OF BOARD—Laid over to January 9, 1940 at 10 A.M., for consideration by the board. No further argument.

746-39-BZ.

APPLICANT—Paul Friedman (George E. Weidner, lessee), for Brooklyn Development Company, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7c, 7f and 21 of the building zone resolution, to permit partly in a business use and partly in a residence use district, the erection and maintenance of a golf driving range and accessory club house.

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PREMISES AFFECTED—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue Z and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: Arthur Hodgkiss, Department of Parks.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

212-34-BZ.

APPLICANT—Michael Marlo, for Carmelo Oddo, owner (Michael Monteroso, lessee).

SUBJECT—Application reopened June 20, 1939 (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of a gasoline service station; said gas station was previously granted by the board for a temporary period.

PREMISES AFFECTED—1709 Neptune avenue and 2760-2770 Cropsey avenue, northwest corner (Block No. 6994, Lot Nos. 97 and 99), Borough of Brooklyn.

APPEARANCES—

For Applicant: Michael Marlo.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(212-34-BZ)

WHEREAS, Louis A. Brown, substituted for Bailey and Ferrara, for Mabel O. Parker, owner, filed July 19, 1934, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station: premises: 1709 Neptune avenue, northwest corner of Cropsey avenue (Block No. 6994, Lot Nos. 104 and 99), Borough of Brooklyn; and

WHEREAS, this application was granted by the board October 30, 1934, amended February 2, 1937, for a temporary period of 5 years on certain conditions, and owner, through his agent, Michael Marlo, requested an amendment of the resolution and the application was reopened by vote of the board June 20, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting December 12, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Neptune avenue is in a business use district; Cropsey avenue is in a business and unrestricted use district; West 17th street is in a business use district and West 19th street is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings Misc. Application No. 2535-39, dated November 21, 1939, reads:

"1. Obj. 1 and 2 pending—of 5/25/39

2. Plans and plot diagram submitted do not agree with records—five (5) car garage and lubritorium shown in conjunction with present gas-station increasing occupied area."

and

WHEREAS, the applicant contends that the premises con-

sist of an irregular shaped plot of ground having a frontage of 120 ft. on Cropsey avenue, 20 ft. on Neptune avenue and a distance of 63 ft. along the northerly lot line. Upon the southerly portion of the plot there is a gasoline station having a frontage of 80 ft. on Cropsey avenue and 20 ft. on Neptune avenue. This gasoline station was granted by the board for a temporary period of 5 years from September 15, 1936. On the northerly part of the plot there is a 5 car garage having a frontage of 40 ft. on Cropsey avenue and a lubricating lift in this garage building. It is proposed to install two additional tanks and pumps on the existing gasoline service station; to incorporate the garage building (including the lift) as part of the gasoline station and, in addition to use the garage building for the storage of five (5) motor vehicles,

Resolved, that the resolution adopted by the board on October 30, 1934 as amended by resolution adopted February 2, 1937, be and it hereby is *further amended*, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 *for a period of five years* from the date of September 15, 1936, permitting the site under appeal to be used for a gasoline service station, *on condition* that the station shall be arranged substantially as indicated on plans filed with this appeal, except that the accessory building for store and office may be of the size and arrangement as shown on revised plans marked "Received July 20, 1936," omitting the greasing section and prohibiting any open grease pits or lifts on the plot, that there shall be erected along the interior lot lines to the north and west a wall constructed of face or common brick suitably coped, and not less than 7 ft. in height; that this wall may be constructed to a height of 4 ft. at the Neptune avenue building line and be graduated at the rate of 1 ft. in 4 to the 7-ft. height; that the accessory buildings shall contain only a lubritorium, office building and store for automobile accessories; that these buildings shall be constructed of brick not over one story in height; that the walls of these buildings where erected on the lot lines may be incorporated in the lot line wall; that the roof boardings, windows and doors may be of wood provided the ceiling shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals and the roofs surfaced with incombustible materials; that the entire plot where not covered by accessory buildings shall be cement paved; that all gasoline pumps that are installed shall be not over 3 ft. from the lot line wall as indicated; that there shall be erected on the Cropsey avenue building line and on Neptune avenue building line concrete curbs not less than 12 in. in width and not less than 6 in. in height, with rounded top, and with no openings therein other than two to Cropsey avenue and one to Neptune avenue, such openings not to exceed 20 ft. in width and with curb cuts opposite not exceeding 30 ft. in width, and that no opening shall be nearer the intersection of Cropsey avenue and Neptune avenue than 5 ft.; that no portable gasoline pumps shall be installed or maintained on or from the property; that all advertising shall be limited to the globes of the gasoline pumps and to one electric standard erected at the corner of Neptune avenue and Cropsey avenue, within the building line, and to a flat sign attached to face of accessory building; that there shall be no excavation under any of the buildings except the pits for greasing racks; that no open flame shall be permitted on property; that there shall be no repairing of automobiles carried on and no parking of cars other than those being serviced.

Resolved further, that in the event the owner desires to install two additional storage tanks and two additional pumps, making a total of four such tanks, that such additional tanks and pumps may be installed, pro-

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vided the requirements of this resolution shall in all other respects be complied with and that a door may be installed between the office of this gasoline service station and the adjoining garage as shown on plans filed with this application, operated by the same owner, as a convenient access thereto on condition that such garage shall be occupied for use in no way connected with the business of the gasoline service station."

244-39-BZ.

APPLICANT—John J. Beatty, for Harlem Savings Bank, owner.

SUBJECT—Application reopened October 24, 1939 under new facts (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a restricted retail use district, the alteration and conversion of occupancy of part of an existing building to a motion picture theatre (previously denied).

PREMISES AFFECTED—163-165 West 57th street, north side, 104 ft. 2 in. east of Seventh avenue (Block No. 1010, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Stanford C. Zost.

For Opposition: William J. Pedrick and Thomas W. Hughes.

ACTION OF BOARD—Application dismissed as being improperly before the board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative: 4
Walsh 0

THE RESOLUTION—

(244-39-BZ)

WHEREAS, John J. Beatty, for Harlem Savings Bank, owner, filed February 27, 1939, an application under section 21 of the building zone resolution, to permit in a restricted retail use district, the alteration and conversion of occupancy of part of an existing building to a motion picture theatre; premises 163-165 West 57th street, north side, 104 ft. 2 in. east of Seventh avenue (Block No. 1010, Lot No. 5), Borough of Manhattan; and

WHEREAS, this application was denied by the board on June 13, 1939 and reopened October 24, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 12, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 57th street is in a restricted retail district; West 58th street is in a business and retail use district and Seventh avenue is in a retail, restricted retail and residence district; and

WHEREAS, the decision of the borough superintendent of buildings, dated February 9, 1939, re. Alt. Applic. No. 372-39, reads:

"1. Proposed changed use to a motion picture theatre in a restricted district is contrary to Section 4b, Zone Resolution."

and

WHEREAS, the existing building is of fireproof, Class 1 construction, five (5) stories in height, with a frontage of 38 ft. 10 in. and a depth of 100 ft. 5 in. It is proposed to alter and to convert the occupancy of the 1st and 2nd stories of the existing building to a motion picture theatre having an exit through yard of No. 901 to 909 Seventh avenue to Seventh avenue; and

WHEREAS, the owner, as represented by an Officer of the Bank, stated that no authorization had been given to seek a rehearing and that the bank was entirely satisfied with the previous action of the board in denying the application.

Resolved, that the application be and it hereby is dismissed as improperly before the board.

562-39-BZ.

APPLICANT—Tendwell Service Station Corporation, lessee, for New York State Realty and Terminal Co., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—5-15 West 125th street, north side, 110 ft. west of Fifth avenue and 6-14 West 126th street (Block No. 1723, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: Alexander R. McDonald, H. J. Kiernan, Hyman Rich.

For Opposition: Raymond M. Kahn, William Michelson, Leon Pol, Mrs. Nellie Crowley, Morris J. Green, Sol A. Herzog, Anton Bentele and Frieda Bentele.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

THE RESOLUTION—

(562-39-BZ)

WHEREAS, Tendwell Service Station Corporation, for New York State Realty and Terminal Co., owner, filed May 3, 1939, an application under section 7-h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises, 5-15 West 125th street, north side, 110 ft. west of Fifth avenue and 6-14 West 126th street (Block No. 1723, Lot No. 31), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, December 12, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 125th street and West 126th street are in a business use district and Fifth avenue is in business and residence use districts; and

WHEREAS, the decision of the borough superintendent, dated April 14, 1939, reads:

"Your application for a certificate of occupancy for the use of the above premises for the parking and storage of more than five motor vehicles has been denied, for the reason that the premises are located in a business district, where this occupancy is prohibited by section 4, article 2 of the Zone Resolution."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 125 ft. on West 125th street, 95 ft. on West 126th street and a depth of 200 ft. It is proposed to occupy the plot for a temporary period of not more than two years for parking and storage of more than five motor vehicles; and

WHEREAS, these premises and the surrounding area were the subject of an inspection by a committee of the board, and

WHEREAS, the applicant amended his application at the hearing, to transient parking only and no storage; and

WHEREAS, the board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, for the use of the plot for the transient parking or storage of more than five (5) motor vehicles.

Resolved, that the decision of the borough superintendent dated April 14, 1939, be and it hereby is affirmed and that the application be and it hereby is denied.

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597-39-BZ.

APPLICANT—A. C. Benson, for Socony-Vacuum Oil Co., Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a business use district, the alteration and extension of an existing gasoline service station.

PREMISES AFFECTED — 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block No. 9751, Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: A. C. Benson.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(597-39-BZ)

WHEREAS, A. C. Benson, for Socony-Vacuum Oil Co. Inc., owner, filed May 8, 1939, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district, the alteration and extension of an existing gasoline service station; premises: 84-04 Parsons boulevard and 152-16 84th avenue, southwest corner (Block No. 9751, Lot No. 1), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 12, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Parsons boulevard is in a business use district; 84th avenue is in a residence and business use district; 84th road is in a residence and business use district, and 152nd street is in a residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, Application No. 9028-38, dated November 23, 1938, as amended April 5, 1939, reads:

"1—Extending the area of the present existing gasoline station into a business district is contrary to the Zone Law (Art. II, Sec. 4a)."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75.9 ft. on Parsons boulevard, 85.69 ft. on 84th avenue and a distance of 96.8 ft. along the southerly lot line and occupied in part as a gasoline service station. It is proposed to remove the existing accessory building and to erect upon the site a one story accessory building 27 ft. by 69 ft. in area; to relocate the pumps and to extend the gasoline service station so as to cover the entire plot; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship to permit the reconstruction and extension of an existing gasoline station under section 7-c.

Resolved, That the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Sections 7-C and 21 thereof, to permit the alteration and rearrangement of the existing legal gasoline service station and the extension thereof, as indicated on revised plans marked "Received December 8, 1939", which are hereby *approved* as substantially meeting the requirements of the Board under this resolution, *on condition* that all buildings on the plot shall be entirely removed and the plot leveled substantially to the grades of Parsons boulevard and 84th avenue; that the accessory building not exceeding one story in height, shall

be constructed toward the southwesterly corner, designed, constructed and arranged as shown on said revised plans; that the building shall be constructed of incombustible materials, except that the roof beams and boarding, door frames and doors, window frames and sash may be of wood, provided the ceiling is fire-retarded throughout in accordance with the rules of the Board; that the weather surfacing shall be of approved combustible material; that there shall be no windows on the lot line walls on the adjoining premises; that any skylights installed shall be not nearer than 10 feet to any such lot line; that on the interior lot lines where accessory buildings do not occur, there shall be constructed a brick wall to a total height of not less than 6 feet, except that between piers or posts the wall may be not less than 4 feet in height with a substantial wood fence for the additional height; that planting areas shall be maintained, as indicated, with protecting curbing; that all existing gasoline pumps shall be removed and no gasoline pumps shall be installed nearer than 15 feet to the street building line; that such pumps shall be of the twin type of the parkway design; that the entire plot where not covered by accessory building pumps and planting areas, shall be cement-paved; that curb cuts shall be restricted to two to Parsons boulevard, not over 28 ft. 6 in. in width each and two to 84th avenue, one not over 35 ft. wide and one not over 30 ft. wide; that there shall be erected at the intersection of Parsons boulevard and 84th avenue, a block of concrete not less than 12 inches in height and not less than 5 feet in width from the intersection along each street building line; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the pumps, excluding all roof signs and all temporary signs and all signs painted on or attached to the walls of adjoining buildings, but permitting the erection within the building line of one post standard near the intersection of Parsons boulevard and 84th avenue for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not over 4 feet; that lights for general illumination shall be constructed on pipe standards with metallic reflectors so arranged as to reflect toward the center of the premises and away from adjoining occupancies; that there shall be no flood lights installed on the gasoline pumps; that during the term of this variance, the premises shall be used for no other use than that herein permitted; that no automobile repairing shall be permitted on the premises; that no cars shall be stored thereon other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that all permits required shall be obtained and all work involved, completed within one year from the date of this resolution.

1022-39-BZ.

APPLICANT—Samuels and Samuels, for Matilda Taishoff, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7f and 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—47-13 to 47-21 Kissena boulevard and 140-01 to 140-07 Mullberry court, northeast corner (Block No. 5216, Lot No. 41), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: Kenneth L. Lawlor, Le Roy B. Iserman, John G. Coleman, Joseph A. Kaye, Netty Keller, Catherine Borrine, Helen Coyle, Lily Schilling and Jessie Douglas.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative

0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

MINUTES

THE RESOLUTION—

(1022-39-BZ)

WHEREAS, Samuels and Samuels, for Matilda Taishoff, owner, filed August 4, 1939, an application under Sections 7f and 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station: affecting premises; 47-13 to 47-21 Kissena boulevard, and 140-01 to 140-07 Mulberry court, northeast corner (Block No. 5216, Lot No. 41), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 12, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Kissena boulevard is in a business use district; Laburnam avenue is in a residence and business use district; Mulberry avenue is in a residence and business use district; Mulberry court is in a residence and business use district and Union street is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N.B. Applic. No. 5354-39, dated July 17, 1939, reads:

"Establishing a gasoline station in a business district contrary to Zone Resolution, Art. 2, Sec. 4, sub. div. 46. No further examination at this time."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Kissena boulevard and 82 ft. on Mulberry court. It is proposed to erect upon the site a one story structure, 26 ft. by 52 ft., irregular in area, to be used as lubritorium, auto laundry and office; and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision f, for the use of the plot as a gasoline service station, as in the opinion of the Board, the area cannot be considered as undeveloped within the intent of this section.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 5354-39, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

1025-39-BZ.

APPLICANT—Frank J. Buttermark, for Mill Road Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Angelo Costantino, Frank J. Buttermark, Carlo Taibbi and Charles Whitaker.
For Opposition: J. Harry Tieman, Rosalie Giallo.
For Administration: M. Schmeidler, for Borough President of Richmond.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(1025-39-BZ)

WHEREAS, Frank J. Buttermark, for Mill Road Holding Corporation, owner, filed August 7, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station; premises: 2505 Hylan boulevard, southwest corner of New Dorp lane (Block No. 4221, Lot No. 67), New Dorp, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, December 12, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hylan boulevard is in a business use district; New Dorp lane is in a business use district; Coddington avenue is in a residence and business use district and Jagues avenue is in a business and residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated August 4, 1939, reads:

"Application, New Building No. 148-1939, filed by Frank J. Buttermark, on June 1, 1939, for the erection of a gasoline service station at premises 2505 Hylan boulevard, S.W. cor. New Dorp lane and Hylan boulevard, New Dorp, Borough of Richmond, is hereby denied, it being contrary to the Building Zone Resolution to erect a gasoline service station in a business use zone, (Amended Building Zone Resolution, Article 2, Paragraph 4)"

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on New Dorp lane and 100 ft. on Hylan boulevard. It is proposed to erect upon the site a one story accessory building 30 ft. by 16 ft. irregular in area, a grease lift and also, the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, dated August 4, 1939, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1093-39-BZ.

APPLICANT—Lockwood Greene Engineers, Inc., for News Syndicate Co., Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution to permit in an unrestricted use district and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building; said extension not conforming with the "B" area requirements of the building zone resolution.

PREMISES AFFECTED—684-716 Pacific street, south side, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28 inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Russell V. Banta.
For Opposition: Karl G. Adlund and Louis F. Rebori.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

MINUTES

THE RESOLUTION—

(1093-39-BZ)

WHEREAS, Lockwood Greene Engineers, Inc., for News Syndicate Co., Inc., owner, filed August 17, 1939, an application under section 21 of the building zone resolution, to permit in an unrestricted use and "B" area district, the erection and maintenance of an extension to an existing newspaper printing building, said extension not conforming with the "B" area requirements of the Building Zone Resolution; Premises: 684-716 Pacific street southside, 222 ft. west of Carlton avenue (Block No. 1128, Lot Nos. 16 to 28 inclusive)) Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, December 12, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Pacific street, Dean street, Carlton avenue and Sixth avenue are in an unrestricted and business use and also "B" area districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings, re Application No. 3190-39, dated July 20, 1939, reads:

"1. Rear yard does not comply with Art. IV, Sec. 17/6 of Zone Resolution."

and

WHEREAS, the premises consist of a plot having a frontage of 373 ft. and a depth of 110 ft.; upon which there is located a reinforced concrete building, three and also eight stories in height, having a frontage of 373 ft.; the first story having a depth of 110 ft. and the 3rd, 4th, 5th and 6th stories having a depth of 100 ft. It is proposed to extend the rear of the entire second story for a depth of 10 ft. (to the rear lot line). This proposed extension encroaches upon the entire depth of the required rear yard for a height of twenty nine (29) ft.; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district requirements of the building zone resolution, and that the application be and it hereby is *granted* under section 21, so as to permit the extension in height of the rear yard extension, as indicated on revised plan No. 3 prepared by Lockwood Greene Engineers, Inc., marked "Received November 20, 1939", *on condition* that such extension shall be extended in height only for that portion of the premises now used as a press room, approximately 225 feet measured from the easterly line of the premises; that such extension shall not exceed a total height including parapet of ten feet above present legal extension, making a total height of 33 feet above curb grade; that the exterior wall of such new extension shall be faced with light colored faced brick and the existing extension shall be kept painted in a light color for the full length of the building to the grade of the abutting yards; that no windows shall be constructed in this extension wall on the lot line; that ventilation ducts shall be constructed as proposed with intake ventilators to supply interior fresh air and the upper row of windows in the press room gallery shall be removed or sealed closed; that the middle row of windows shall be reduced to not more than one half the present total window area; that all windows opening from the press room at the rear shall be kept closed and opened only in a temporary emergency due to a breakdown in the mechanical ventilating system; that the end to be accomplished, namely, to eliminate noise emanating from this building to the annoyance of adjoining owners, is to be respected at all times; that the windows at the rear opening into the locker rooms at the east end of the building, shall be glazed with opaque glass and the ventilation

system shall be extended into this locker room section, to obviate need for opening rear windows; that the intake ventilation shall be so constructed as to be insulated against noise; that all permits shall be obtained and all work indicated on plan No. 3 completed within one (1) year from the date of this resolution.

1203-39-BZ.

APPLICANT—Edwin W. Kleinert and A. Stanley Miller, for Security Construction Co., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7c of the building zone resolution, to permit the erection of a business building (stores), extending from a business use district into a residence use district.

PREMISES AFFECTED—69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-01 57th road (Block No. 2796, part of Lot No. 13 and Block No. 2797, Lot No. 1), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Edwin Kleinert, Marcel Weiss, A. Stanley Miller, William Penn, Peter Zueck and Louis Lumm.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1203-39-BZ)

WHEREAS, Edwin W. Kleinert and A. Stanley Miller, for Security Construction Co., owner, filed on September 29, 1939, an application under the building zone resolution, to permit the erection of a business building (stores), extending from a business use district into a residence use district; premises: 69-80 to 70-08 Grand avenue, south side, 253.51 ft. east of 69th lane and 70-01 57th road (Block No. 2797, Lot No. 1 and Block No. 2796, part of Lot No. 13), Maspeth, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 12, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand avenue is in a business use district; 70th street and 71st street are each in residence and business use districts and 57th road is in a residence use district; and

WHEREAS, the decision of the borough superintendent dated September 22, 1939, re N.B. Applic. No. 4754-39, reads:

"No. 8. The erection of a business building partially in a residence district is contrary to Article 2, section 3 of the Zone Law.

No. 9. Obtain approval of Board of Standards and Appeals for the erection of a building within the bed of a mapped street."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 126.33 ft. on Grand avenue with a depth of 160 ft. on the westerly lot line and 182.22 ft. on the easterly lot line, upon which it is proposed to erect a non-fireproof (Class 3) business building (stores) 126.33 ft. front with a mean depth of 125 ft., one story (15 ft.) in height above the grade of Grand avenue, extending an average of 25 ft. into the residence use district and to use the rear yard for a service yard as an accessory to the business use; and

WHEREAS, on November 14, 1939, under Cal. No. 1046-39-A, the board granted a variance to permit the applicant to build in the bed of a mapped street, affecting the instant

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premises, under section 35 of the General City Law; and
WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7, subdivision C thereof, to permit the extension of the proposed building, as indicated on plans filed herein, into the residence use area and to permit use of rear yard in connection therewith, *on condition* that the building shall extend into the residence use area for a distance of not more than twenty-five feet; that the building within the residence use area shall not exceed one story in height; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto; that there shall be no windows in the side walls opening upon adjoining properties; that no signs shall be erected on any part of the building or premises within the residence use area; that the balance of the plot shall be left open and unbuilt upon and shall be enclosed with a substantial fence with not more than one opening therein to 70th street; that such opening may be not over ten feet in width; that the open yard shall be properly surfaced and shall be landscaped substantially as indicated on sketch marked "Received December 9, 1939"; that this yard shall be used solely for delivery of packaged goods for sale in the proposed building and at no time for parking or storage of motor vehicles or for delivery of goods sold at retail; that no shipping platform shall be constructed; that as a consideration for the granting of this variation, the owner agrees that no automobiles shall be permitted to traverse 57th road (Link place), to enter the rear yard; that this owner will grade and lay temporary pavement in 70th street from 57th road to 57th drive; that he will deed to the City of New York such land as he now owns as may be necessary for the opening of 70th street, as indicated on plan prepared by the Topographical Bureau of the Borough of Queens; that he will deed or lease without charge to the City of New York, the balance of lot No. 13 for use as a park and playground, provided the City accepts such offer within one year; that complete working plans showing building, fencing and planting shall be submitted to the board for approval prior to filing with the borough superintendent; that in all other respects all laws, rules and regulations shall be complied with as varied by the board under Calendar No. 1046 of 1939-A and the resolution adopted thereunder on November 14, 1939, shall be complied with in all respects; that after approval of plans by the board as complying with this resolution, all permits shall be obtained and all work completed within one year from the adoption of this resolution.

APPEAL FROM ADMINISTRATIVE DECISION

894-39-A.

APPLICANT—Paul Friedman (George E. Weidner, lessee), for Brooklyn Development Co., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings (under Sec. 35, General City Law re bed of mapped street).

PREMISES AFFECTED—2601-2691 West 2nd street, northeast corner of Circumferential parkway (Canal avenue), 614 Avenue Z and 2602-2686 West street (Block No. 7234-B, Lot No. 1 and Block No. 7235-A, Lot Nos. 1, 2 and 75), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: Arthur Hodgkiss, Department of Parks.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Assistant Chief
Walsh 4
Negative 0

Adjourned, 2:00 P.M.

JOSEPH J. DOYLE, *Chief Clerk*.

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 12, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

971-27-BZ.

APPLICANT—Assets Funding Corporation, lessee, and George W. Perkins and Dorothy P. Freeman, owners.

SUBJECT—Application reopened November 14, 1939, re amendment of resolution as to additional use as automobile repair shop—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 270 Dyckman street, south side, 488.11 ft. west of Broadway (Block No. 2246, Lot No. 43), Borough of Manhattan.

APPEARANCES—

For Applicant: Stanley Moffat and Richard Kulze.

For Opposition: None.

ACTION OF BOARD—Laid over to December 19, 1939, at 2 p.m., on request of applicant's representative.

314-35-BZ.

APPLICANT—Shelton Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting for a period of not more than two (2) years, in a retail use district, the use of a vacant plot of ground as a parking space for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—15-23 West 43rd street, north side, 225 ft. west of Fifth avenue (Block No. 1259, Lot Nos. 25, 28 and 28½), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Yahr.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(314-35-BZ)

WHEREAS, Harry Yahr, for Shelton Holding Corporation, owner, filed November 7, 1935, an application under the building zone resolution to permit for a period of not more than two (2) years in a retail district the use of a vacant plot of ground as a parking space for the storage of more than five (5) motor vehicles; premises: 15-23 West 43rd street, north side, 225 ft. west of Fifth avenue, (Block No. 1259, Lot Nos. 25, 28 and 28½), Borough of Manhattan; and

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WHEREAS, this application was granted by the board January 14, 1936, for a period of two years, on certain conditions, time extended January 11, 1938, and applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on January 14, 1936, as amended January 11, 1938, only so far as it has reference to term of permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-H, for a temporary period of two years from the date of this amended resolution, permitting the premises under appeal to be used for parking and over night storage of more than five motor vehicles, *on condition* that there shall be erected across the full width of the lot on the street building line a brick retaining wall constructed not less than 12 in. in thickness and not less than 2 ft. in height above grade and with suitable footings below grade to insure permanency and with not over one opening therein not exceeding 20 ft. in width; that a substantial iron picket fence, not less than 3 ft. in height, may be substituted for this wall in which case the supporting foundations shall be thoroughly embedded in concrete below grade; that the entire lot area shall be leveled and covered with rolled steam cinders; that there shall be constructed either on the rear lot line or on the top of the retaining wall of the property adjoining to the north, a substantial woven wire fence not less than 5 ft. in height to close off the rear depressed court; that there shall be no use on this plot other than parking and storage as herein permitted and no buildings except a small structure occupying not over 50 sq. ft. for office of the attendant; that an attendant shall be maintained on these premises at all times during which cars are being stored or parked; that such portable fire fighting appliances shall be installed as the administrative official shall direct.

"Resolved further, that during the term of this variance, the premises shall be used for no other use than as herein permitted and no building shall be erected thereon, except there may be erected a building not over one story in height and not over 150 sq. ft. in area, which may be of frame, to be used solely as an office and shelter for the attendant."

APPEALS FROM ADMINISTRATIVE DECISIONS

696-39-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Maria M. Sasso.

SUBJECT — Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 18530-32.

PREMISES AFFECTED—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake.

For Owner: David L. Minkoff and Alex Kraut.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Laid over to January 16, 1940, at 2 p.m., pending court decision in a similar case.

697-39-A.

APPLICANT—George G. Lake, for Michael Gatto, adjoining property owner.

OWNER OF PREMISES — Samuel Miller (Phillip Edwards, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 19617-34.

PREMISES AFFECTED — 28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake.

ACTION OF BOARD—Laid over to January 16, 1940, at 2 p.m., pending court decision in similar case.

1111-39-A.

APPLICANT—Benjamin Saltzman, Assistant Engineer for Alfred Rader, acting borough superintendent, department of housing and buildings, Borough of Brooklyn.

OWNER OF PREMISES—William Crystal and Anna Crystal (Samuel Budoff, lessee).

SUBJECT—Application for the revocation of Certificate of Occupancy No. 66349 and Permit No. 11430-31.

PREMISES AFFECTED — 545-567 Ridgewood avenue, northeast corner of Nicholas avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Saltzman.

For Owner: Beatrice Sloane.

ACTION OF BOARD—Laid over to January 3, 1940, at 2 p.m., pending court decision.

1184-39-A.

APPLICANT—Slee and Bryson, for Ridgelawn Homes, Inc., owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings (under section 36 General City Law re building fronting on a proposed private street).

PREMISES AFFECTED—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: John B. Slee and C. Elmer Blomberg.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Laid over to December 19, 1939, at 2 p.m., for inspection by a committee of the board.

1427-39-A.

APPLICANT—Archibald D. Anstey, for Mutual Life Insurance Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—168-170 East 116th street, south side, 181 ft. 8 in. east of Lexington avenue (Block No. 1643, part of Lot No. 44), Borough of Manhattan.

APPEARANCES—

For Applicant: Otto L. Kelm.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Laid over to December 19, 1939, at 2 p.m., for inspection by a committee of the board.

1430-39-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—130 Amity street, south side, 217 ft. east of Henry street (Block No. 296, Lot No. 15), Borough of Brooklyn.

MINUTES

APPEARANCES—

For Applicant: Howard Chapman.
For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Laid over to December 19, 1939, at 2 p.m., for inspection by a committee of the board.

1432-39-A.

APPLICANT—Sarah Neufeld (lessee), for Frank J. Wilton and Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED — 429-433 East 164th street, north side, 120 ft. east of Brook avenue (Block No. 2386, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Abe Neufeld and Sarah Neufeld.
For Administration: Inspector Johnson, fire dept.

ACTION OF BOARD—Laid over to December 19, 1939, 2 p.m., for inspection by committee of the board.

1453-39-A.

APPLICANT—William W. Knowles, for Benjamin H. Sweet, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—165-18 South road, south side, 110.65 ft. east of 165th street (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William W. Knowles.
For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Laid over to December 19, 1939, at 2 p.m., for further consideration by the board. Applicant to file revised plans.

1456-39-A.

APPLICANT—Harold Klorfein, for Department of Parks, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — North side of Cross Island parkway, 620 ft. west of Douglaston parkway (Block No. 7720, Lot No. 100), Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Harold Klorfein.
For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Laid over to December 19, 1939, at 2 p.m., for further consideration by the board. Applicant to file revised plans.

1457-39-A.

APPLICANT—Harold Klorfein, for Department of Parks, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — West side of Cross Island parkway, 250 ft. north of West Alley road (Block No. 7720, Lot No. 1), Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Harold Klorfein.
For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Laid over to December 19, 1939, at 2 p.m., for further consideration by the board. Applicant to file revised plans.

1476-39-A.

APPLICANT — John B. Reschke, for Wetzel Estate, owner (George Riggie, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 120-87 Queens boulevard, northwest corner of 82nd avenue (Block No. 2274, Lot No. 74), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: John B. Reschke and George Riggie.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Laid over to December 19, 1939, 2 p.m., for inspection by a committee of the board.

1383-39-A.

APPLICANT—Lama and Proskauer, for Ada Koggan, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 216 Alabama avenue, west side, 100 ft. south of Pitkin avenue (Block No. 3734, Lot Nos. 25-27 and part of Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD — Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1424-39-A.

APPLICANT — William M. Adelman, for Cunningham Park Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—188-10 Union Turnpike, south side, 75 ft. west of 189th street (Block No. 7266, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD — Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

1064-39-A.

APPLICANT—Cortland Realty Company of New York, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—45-17 Pearson street, east side, 150 ft. south of Northern boulevard (Block No. 84, Lot No. 11), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: J. E. Melino.

For Administration: Thomas Larkin, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

MINUTES

THE RESOLUTION—

(1064-39-A)

WHEREAS, Cortland Realty Company of New York, owner, filed August 23, 1939, an appeal from an order of the fire commissioner, affecting premises 45-17 Pearson street, east side, 150 ft. south of Northern boulevard (Block No. 84, Lot No. 11), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 3067-LF, dated July 25, 1939, reads:

"1. Install an approved standpipe system in accordance with Article 17, Chapter 26, Administrative Code of the City of New York."

and

WHEREAS, the building is six (6) stories, 80 ft. in height, 200 ft. front on Pearson street, extending through to Court Square, 100 ft. in depth of fireproof construction, erected in 1926, extended in 1930, located in an unrestricted use district and occupied throughout as an office building; and

WHEREAS, the applicant contends that when the building was erected and extended, plans were filed and approved and there was no requirement made for a standpipe system; that there is no hazardous use in the building; that the installation of a standpipe system at this time would require the breaking through of concrete arches and the construction of a tank on the roof, which would be a great expense and a hardship on the owner at the present time.

Resolved, that the order of the Fire Commissioner, No. 3067-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted* only so long as the building is occupied as offices of the City of New York; that in all other respects the building shall comply with all laws, rules and regulations applicable to the construction and occupancy.

1072-39-A.

APPLICANT—Pennsylvania Alcohol Corporation, owner.

SUBJECT—Appeal from a decision of the fire commissioner re manufacture, storage, sale and transportation of "Quakersol," "Quaker High-Test Anti-Freeze" and "Quaker Brand Completely Denatured Alcohol" in non-refillable cans in New York City.

APPEARANCES—

For Applicant: Fred W. Stetson and W. C. Brown.

For Administration: Inspector Johnson, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(1072-39-A)

WHEREAS, Pennsylvania Alcohol Company, owner, filed August 28, 1939, an appeal from decisions of the fire commissioner, relating to the use of round sealed non-refillable containers for the packing and shipping of anti-freeze and combustible mixtures; and

WHEREAS, the decision of the fire commissioner, dated August 10, 1939, reads:

"Replying to your favor of July 28th 1939, please be advised that this department disapproves all cans used for packing and shipping anti-freeze (flammable mixtures) other than the type as specified and provided for in Section C19-59.0c of the Administrative Code of the City of New York, for the reason that

'Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight-fitting, replaceable top, cap or other device, so made that the can shall be airtight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each.'

For containers fitted with a tight-fitting, replaceable top, cap or other device, so made that the can or containers will be air-tight when closed the ADMINIS-

TRATIVE CODE requires the applicant to submit to this Department sample labels or photostats for all kinds of containers, bearing the name of the product, the name and address of the manufacturer, and, in large letters near the top if on the front or over the word Directions, the words—

C A U T I O N,

INFLAMMABLE MIXTURE,

DO NOT USE NEAR FIRE OR FLAME,

C. OF A. No.

The requirements for non-fillable or round top cans must bear the same inscription after permission has been granted by the Board of Standards and Appeals and only under certain conditions specified by that Board."

and

WHEREAS, the decision of the fire commissioner, dated November 14, 1939, reads:

"Replying to your inquiry of November 9, 1939, we desire to advise that the Fire Department disapproves the use of the round sealed top, non-refillable containers, not only for anti-freeze but for any inflammable or combustible mixture."

and

WHEREAS, it is proposed to pack, ship and sell Quaker High test Anti-Freeze and CDA Anti-Freeze and Quakersol Denatured Alcohol Solvent in one gallon and one quart cans; and

WHEREAS, the applicant requests permission to market these materials in sealed cans under similar conditions as were imposed by the Board in acting on a similar application under Cal. No. 488-37-A; and

WHEREAS, the applicant withdrew his request for modification of the order as to Quakersol Denatured Alcohol Solvent"

Resolved, that the decision of the Fire Commissioner, dated August 10, 1939, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the transportation, sale, storage and manufacture of anti-freeze (flammable mixture) consisting of Quaker High Test Anti-Freeze and C D A Anti-Freeze, as described in this appeal, in one gallon and one quart cans without tight-fitting replaceable top, *on condition* that there shall appear on each can a prominent notice, reading "Upon Opening Remove Entire Contents At Once"; that each can shall have white letters on Fire Department red background or red letters on an aluminum background and that such notice shall be lithographed as a part of the label and that this label shall also contain the additional words, "This Container for Anti-Freeze Approved by the Board of Standards and Appeals under Cal. No. 1072-39-A" and that the application to the Fire Department for permit shall state the name of the manufacturer of such anti-freeze.

1089-39-A.

APPLICANT—Arthur F. Winter, for Associated Chain Store Realty Company, owner (F. W. Woolworth Co., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED — 1111-1113 Avenue U, north side, 80.74 ft. east of Coney Island avenue (Block No. 7315, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur F. Winter.

For Administration: Thomas Larkin, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(1089-39-A)

WHEREAS, A. F. Winter, for Associated Chain Store

MINUTES

Realty Co., owner (F. W. Woolworth Co., lessee), filed on September 1, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 1111-1113 Avenue U, north side, 80.74 ft. east of Coney Island avenue (Block No. 7315, Lot No. 44), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 2782-LF, dated May 29, 1939, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Chapter 26, Article 16, Administrative Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated August 10, 1939; and

WHEREAS, the building is one story (17 ft.) in height, 40 ft. by 100 ft. in area; of Class 3 construction; erected in 1927; located in a business use district and occupied: Cellar—stockroom, 2 persons, 1st floor, salesroom—100 persons; 2nd floor (pent house), girls' room, 5 persons, pursuant to Certificate of Occupancy 50071, issued April 12, 1928, which does not state the number of persons permitted per floor; and

WHEREAS, the applicant contends that there are adequate exits from the basement; that ventilation is provided underneath the show window bulkheads and by means of sidewalk elevator doors; that baled paper is stored in a fireproof room, as shown on plans filed herein marked "E"; that all aisles are 3 feet wide and kept clear at all times; that the cellar ceiling is fire-retarded; that all cellar partitions are fireproof, and that adequate fire protection has been provided.

Resolved, that the order of the fire commissioner, No. 2782-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25% in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1½ inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste-paper room and kitchen, if any, shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross connected and so equipped with check valves at the domestic water supply and at the pumper inlet; that all heads shall be under fire department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 inches above the sidewalk, and that the cap of this hose inlet and sign stating area covered, shall be painted aluminum; that sprinkler heads may be omitted in the heater room, provided same is enclosed in fireproof material with an approved fireproof, self-closing door; that this room shall be no larger than required for heating purposes and shall be used for no other use than for the heating system.

1325-39-A.

APPLICANT—Mac L. Reiser, for Anna Shafran, owner (Leah H. Katz, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2277-2281 Ocean parkway, east side, 120 ft. north of Avenue W (Block No. 7158, Lot No. 60), Borough of Brooklyn.

APPEARANCES—

For Applicant: Mac L. Reiser.

For Administration: Benjamin Saltzman, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commission-

ers Savage and Blum and Assistant Chief

Walsh 4

Negative 0

THE RESOLUTION—

(1325-39-A)

WHEREAS, Mac L. Reiser, for Anna Shafran, owner (Leah H. Katz, lessee), filed October 26, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 2277-2281 Ocean parkway, east side, 120 ft. north of Avenue W (Block No. 7158, Lot No. 60), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 4409-39, dated October 10, 1939, reads:

"2. Conversion of a non-fireproof building more than 2 stories or 30 ft. in height from residential to public use is contrary to Sect. 2.1.3.5 and Sect. 4.2.1 of the Building Code.

3. Floor beams are weak for 100 lbs. per sq. ft. live load.

4. Provide exit stairs from the basement at least 3 ft. 0 in. wide enclosed in fireproof partitions, 3 hr.

6. Fire retard the basement ceiling."

and

WHEREAS, the building is 2½ stories (32 ft.) in height, 23 ft. by 58 ft. in area at 1st floor, 23 ft. by 48 ft. above, of class 3 construction, located in a residence use district, erected in 1938 and occupied throughout as a one family dwelling, pursuant to certificate of occupancy No. 53865 issued November 24, 1938; it is proposed to occupy the building: basement—storage, boiler room, laundry and play room, used in conjunction with 1st story as a kindergarten, 15 children; 2nd and attic stories—dwelling, 1 family; total—kindergarten and 1 family; and

WHEREAS, the applicant contends that as to Objection No. 2, the building is 32 ft. to mean height of gable; that as to Objection No. 3, there will be a total of only 15 children in the basement and on the 1st floor; that no heavy furniture will be stored, except such as is used in ordinary buildings and the load will not exceed that permitted for dwelling; that as to Objection No. 4, the window in the basement will be converted into a door leading directly to an open court and thence to the street; that as to Objection No. 6, the basement ceiling over the play room is of wood lath and plaster and that the ceiling over the boiler room is fire-retarded.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 4409-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection Nos. 2, 3, 4 and 6, so as to permit the occupancy of the building as proposed in the basement and 1st story, as a kindergarten for children of the pre-school age, *on condition* that there shall at no time be more than fifteen (15) children; that the window in the basement toward the front, facing the side driveway shall be changed to a casement window so as to provide a second means of exit in case of fire; that such portable fire-fighting appliances shall be installed as the building superintendent shall direct; that the basement ceiling throughout shall either be fire-retarded in accordance with the rules of the Board of Standards and Appeals, or that the existing wood lath and plaster ceiling shall be covered with metal not less than 26 gauge; and *granted* only so long as this use is continued and the building is not increased in height or occupancy and the lot is not reduced, and the owner operating the kindergarten shall reside in the building.

1330-39-A.

APPLICANT—William O. Staber, for Rose B. Capone, owner (Howard Holmes, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—84-21 Grand avenue, west side, 420.19 ft. south of Kneeland avenue (Block No. 2476, Lot No. 212), Maspeth, Borough of Queens.

APPEARANCES—

MINUTES

For Applicant: William O. Staber and Wilfred Taylor.

For Opposition: Harold Klorfein, dept. of parks.
For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1330-39-A)

WHEREAS, William O. Staber, for Rose B. Capone, owner (Howard Holmes, lessee), filed October 27, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 84-21 Grand avenue, west side, 420.19 ft. south of Kneeland avenue (Block No. 2476, Lot No. 212), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 2464-39, dated October 19, 1939, reads: "2. Secure approval from Board of Standards and Appeals for extending building within area of proposed park.

4. Frame construction within the fire limits contrary to Sect. 4.1.2."

and

WHEREAS, the premises consist of a plot 67.79 ft. by 72.35 ft. irregular in area, on which have been erected two one-story frame office buildings, one of which is now in question under Miscellaneous Application No. 2964-39. This building is 8 ft. by 14 ft. in area, of class 4 construction. The entire premises are located in an unrestricted use "C" area district and occupied as a gasoline service station; and

WHEREAS, the applicant contends that the gasoline service station was erected under N.B. Applic. No. 228-30 and certificate of occupancy No. 50360-33 was issued. In March 1939, the lessee erected a one-story frame shed 14 ft. by 8 ft. in area, 8 ft. 7 in. high, to be used as a storage shed for tools, without obtaining a permit. Violation No. 2534 was issued and the application now in question was filed in order to remove said violation; that the premises are not located within the proposed park area; that there is an intervening lot between the premises in question and the park; that the structure in question is a minor structure within the meaning of section 4.1.3.5 and the walls will be filled with brick between studs, laid in portland cement mortar and the walls and ceilings finished with 26 gauge sheet metal over 1/2 inch plaster boards; that the floor is of 4 inch concrete and that no volatile oils will be stored in the building; and

WHEREAS, it is clearly shown on maps furnished by the Topographical Bureau of the Department of Borough Works, Queens, that the premises involved are not within the proposed Park.

Resolved, that the appeal be and it hereby is *withdrawn* for reconsideration by the Borough Superintendent.

1331-39-A.

APPLICANT—William O. Staber, for Rose B. Capone, owner (Howard Holmes, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—84-21 Grand avenue, west side, 420.19 ft. south of Kneeland avenue (Block No. 2476, Lot No. 212), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: William O. Staber and Wilfred Taylor.

For Opposition: Harold Klorfein, dept. of parks.
For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1331-39-A)

WHEREAS, William O. Staber, for Rose B. Capone, owner (Howard Holmes, lessee), filed October 27, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 84-21 Grand avenue, west side, 420.19 ft. south of Kneeland avenue (Block No. 2476, Lot No. 212), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 7692-39, dated October 9, 1939, reads:

"3. The erection of a sign above a building on a gasoline selling station is considered an extension of such use. Obtain approval of Board of Standards and Appeals.

4. Plans filed indicate a roof sign on building. All supports thereof must be of metal. Ch. B 26-110 Adm. Code."

and

WHEREAS, the premises consist of a plot 67.79 ft. by 72.35 ft., irregular in area, upon which two one-story frame buildings have been erected, one under Permit No. N.B. 228-30 and one of which is the subject of an appeal from objection on miscellaneous application No. 2464-39 now pending under Cal. No. 1330-39-A. The entire premises are situated in an unrestricted use, "C" area district and are occupied as a gasoline service station; and

WHEREAS, the applicant contends that about March 1, 1939, the lessee replaced the fence along the westerly lot line and extended the height of same to accommodate an advertising sign 3 ft. 6 in. high and carried said sign across the upper face of the buildings of the premises, as shown on photographs submitted herewith; that said sign was erected without obtaining a permit and violation No. 2534-39 was served; that this application was made to remove said violation; that the sign in question extends only 2 ft. above the roof line; that the braces to the roof consist of 2 by 4's, fastened to the roof and flashed; and

WHEREAS, under calendar No. 1330-39-A, the Board deemed that it is clearly shown on maps furnished by the Topographical Bureau of the Department of Borough Works, Queens, that the premises involved are not within the proposed Park.

Resolved, that the appeal be and it hereby is *withdrawn* for reconsideration by the Borough Superintendent.

1342-39-A.

APPLICANT—Simon B. Zelnick (R. Epstein, lessee), for P. Friedman, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—30-80 Steinway street, west side, 182.66 ft. north of Jamaica avenue (Block No. 660, Lot No. 82), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: S. B. Zelnick and Reuben Epstein.
For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1342-39-A)

WHEREAS, Simon B. Zelnick (R. Epstein, lessee), for P. Friedman, owner, filed November 1, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 30-80 Steinway street, west side, 182.66

MINUTES

ft. north of Jamaica avenue (Block No. 660, Lot No. 82), Astoria, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 2232-39, dated October 11, 1939, reads:

"1. Elimination of the stairway leading directly to the street from the 2nd story is contrary to section 6.4.1.11 of the Building Code."

and
WHEREAS, the building is 2 stories and cellar (23 ft. 10 in.) in height, 25.02 ft. by 90.25 ft. in area, at 1st floor and 25.02 ft. by 36 ft. in area above, of class 3 construction, located in a business use, "B" area district; and occupied since 1924: Cellar—storage; 1st floor—store, 30 persons; 2nd floor—office, 8 persons. Certificate of occupancy No. 1512 was issued March 27, 1925 on alteration application No. 3339-24, permitting the use of the 1st and 2nd floors as store and office; and

WHEREAS, the applicant contends that it is proposed to construct a new stairway connecting the existing 2nd floor with the main store floor, as shown on plans filed with alteration application 2232-39; that the Building Code permits areas less than 50% of the area of the floor immediately below, used in connection therewith, to utilize the same means of egress as the floor below; that the 2nd floor will have an area of only 700 sq. ft. and will be used for office and stock room purposes.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 2232-39, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed new stairway shall be constructed from the second story to the first story adjacent to the main doorway leading to open vestibule to street; that such stairway shall be solely as an accommodation stair used by the tenant of the 1st story and second story; that the second story shall not be increased in area and shall be occupied solely for office in connection with the first floor occupancy; that a second means of exit from the second story shall be provided which shall consist of a door or window opening upon the roof of the one-story extension, from which escape may be had across adjoining roofs; and, *granted* only so long as these conditions are maintained.

1394-39-A.

APPLICANT — William Hyman, for Harman Building Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—56-35, 56-39, 56-43, 56-47 and 56-61 186th street, northeast corner of 58th avenue (Block No. 5672, Lot No. 34), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William Hyman.

For Administration: Joseph Ferro, Department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1394-39-A)

WHEREAS, William Hyman, for Harman Building Corporation, owner, filed on November 14, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 56-35 to 56-61 186th street, northeast corner 58th avenue (Block No. 5672, Lot No. 34), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. Nos. 8324 to 8328-39, dated October 26, 1939, reads:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the decision of the borough superintendent on N.B. Applic. Nos. 9252 to 9256-39, dated November 9, 1939, referring to garages reads:

"1. Within the fire limits ('Unrest. D') it is unlawful to construct frame structures; section 4.1.2. (not further considered)."

and

WHEREAS, the premises consist of a plot fronting 100 ft. on the north side of 58th avenue and 200 ft. on the east side of 186th street, which it is proposed to subdivide into five separate 40 ft. lots and to erect on each a one-family frame building and private garage; and

WHEREAS, the applicant contends that it is the owner of a large tract of land now being developed with one and two-story frame buildings of the type as now proposed for the parcel in question; that it is the intention of the owner to file a declaration of restriction covering all the property owned by it for use as residential property only; that to construct solid brick houses in this vicinity would be too expensive and the cost not justified by possible sales; that relief is requested similar to that granted by the board to this applicant under Cal. No. 1180-39-A.

Resolved, that the decisions of the borough superintendent on N.B. Applic. Nos. 8324 to 8328-39, inclusive, and 9252 to 9256-39, inclusive, be and they hereby are *modified* and that the appeal be and it hereby is *granted* to permit the erection of frame buildings as proposed, substantially as shown on plans filed herein, *on condition* that the buildings shall be limited to residential occupancy of one family each; that the buildings shall comply with all the requirements of the "F" area district, except that one side yard need not exceed five feet in width, provided the distance between houses is not less than 15 feet, and except that the chimney breasts may extend into the side yards for a distance of not over 1 foot; that any garages shall be not nearer than one foot to any side yard or rear lot line; that on the building at the corner of 186th street and 58th avenue, the side yard on 58th avenue need not be more than 10 feet in width; that the first story of the buildings shall be of masonry veneer; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that in all other respects the buildings shall comply with the requirements for all buildings outside the fire limits.

1395-39-A.

APPLICANT — William Hyman, for Harman Building Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—56-32, 56-34, 56-38, 56-42, 56-46 and 56-50 186th street, northwest corner of 58th avenue (Block No. 5671, Lot No. 23), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William Hyman.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(1395-39-A)

WHEREAS, William Hyman, for Harman Building Corporation, owner filed on November 14, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 56-32 to 56-50 186th street, northwest corner of 58th avenue (Block No. 5671, Lot No. 23), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated October 26, 1939, on N.B. Applic. Nos. 8318 to 8323-39 inclusive, reads:

MINUTES

"The erection of a frame building within the fire limits is contrary to section 4-1-2 of the Building Code. Not further considered."

and

WHEREAS, the decision of the borough superintendent on N.B. Applic. Nos. 9246 to 9251-39, dated November 9, 1939, referring to garages reads:

"1. Within the fire limits ("Unrest. D") it is unlawful to construct frame structures; sec. 4.1.2 (not further considered)."

and

WHEREAS, the premises consist of a plot fronting 100 ft. on the north side of 58th avenue and 240 ft. on the west side of 186th street, which it is proposed to subdivide into six separate 40 ft. lots and to erect on each a one-family frame dwelling and a private garage; and

WHEREAS, the applicant contends that it is the owner of a large tract of land now being developed with one and two-story frame buildings of the type as now proposed for the parcel in question; that it is the intention of the owner to file a declaration of restriction covering all the property owned by it for use as residential property only; that to construct solid brick houses in this vicinity would be too expensive and the cost not justified by possible sales; that relief is requested similar to that granted by the board to this applicant under Cal. No. 1180-39-A.

Resolved, that the decisions of the borough superintendent on N.B. Applic. Nos. 8318 to 8323-39 inclusive and 9246 to 9251-39, inclusive, be and they hereby are *modified* and that the appeal be and it hereby is *granted* to permit the erection of frame buildings as proposed, substantially as shown on plans filed herein, *on condition* that the buildings shall be limited to residential occupancy of one family each; that the buildings shall comply with all the requirements of the "F" area district, except that one side yard need not exceed five feet in width, provided the distance between houses is not less than 15 feet, and except that the chimney breasts may extend into the side yards for a distance of not over 1 foot; that any garages shall be not nearer than one foot to any side yard or rear lot line; that on the building at the corner of 186th street and 58th avenue, the side yard on 58th avenue need not be more than 10 feet in width; that the first story of the buildings shall be of masonry veneer; that the roofs shall be surfaced with natural slate or approved asbestos or asphalt shingles; that in all other respects the buildings shall comply with the requirements for all buildings within the fire limits.

1410-39-A.

APPLICANT—E. T. Allen, for 70-84 Richards' Street Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—70-84 Richards street 58-68 Verona street, northwest corner and 49-67 Delevan street (Block No. 522, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: E. T. Allen.

For Administration: Thomas Larkin, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1410-39-A)

WHEREAS, E. T. Allen, for 70-84 Richards Street Corporation, owner, filed November 17, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 70-84 Richards street, 58-68 Verona street, northwest corner and 49-67 Delevan street (Block No. 522, Lot No. 11), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 3145-LF, dated August 21, 1939, reads:

"1. Arrange the standpipe system to conform to the requirements of Article 17, Chapter 26, Administrative Code, and comply with the following orders:

A—Provide approved pressure reducing valves for standpipe hose outlets on 1st story and basement, or where pressure exceeds 55 lbs. where 2½" hose is used, and 85 lbs. where 1½" is used.

B—Provide brass steam coil in each standpipe tank.

E—Properly frostproof all piping on roof.

F—Discontinue ball drip between control valve and check valve, on 6th story.

C19-161.0 Administrative Code of the City of New York."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated November 1, 1939; and

WHEREAS, the building is six stories and basement (88 ft.) in height, 200 ft. by 100 ft. in area, with a rear extension 50 ft. by 102 ft. in area, of fireproof construction, equipped with a standpipe system, erected in 1916, located in an unrestricted use district and occupied: Cellar—boiler room and storage of steel shapes—2 persons; 1st floor—shipping, receiving and machine shop—13 persons; 2nd floor—machine shop and offices—33 persons; 3rd floor—paper box factory—14 persons; 4th floor—same—85 persons; 5th floor—same—47 persons; 6th floor—paper box factory and offices—27 persons; and

WHEREAS, a sprinkler system is now being installed in the building; and

WHEREAS, it is proposed to replace the present gravity standpipe tanks with a 4 inch connection to the City mains, as per section 16.6.3.1 of the Building Code; and

WHEREAS, the applicant contends that the main in Verona street shows a minimum static pressure of 56 lbs., which will provide more than 15 lbs. at the top hose outlet; that the proposed change will improve the pressure and the amount of water available for the standpipe system; that the present supply provides a total of 20,000 gallons with a pressure of 10 lbs. at the top hose outlet and 43 lbs. at grade; with the proposed main connection, the supply will be unlimited and the pressure at the top hose outlet increased to 16 lbs. and at the ground level to 54 lbs.; that the proposed change will save the expense of heating the present gravity tanks and obviate the need for complying with items 1a, 1b, 1e and 1f of the fire commissioner's order. Items 1c and 1d of the order will be complied with.

Resolved, that the order of the Fire Commissioner, No. 3145-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the removal of the standpipe tanks on the roof, on condition that in all other respects the standpipe system is maintained to the satisfaction of the Fire Commissioner and is fed by a 4-inch connection to the city mains, in accordance with the requirements of the Building Code; and *on further condition* that a sprinkler system which may be one source, complying with the requirements of the Sprinkler Rules of the Board of Standards and Appeals for factory buildings, shall be installed and maintained to the satisfaction of the fire commissioner; that this modification shall continue only so long as the pressure at the highest standpipe outlet and in the sprinkler lines on the top floor is not less than 15 lbs.

1434-39-A.

APPLICANT—W. T. Grant Co. (lessee), for Klarman Holding Co., owner.

SUBJECT — Appeal from an order of the fire commissioner.

PREMISES AFFECTED — 103-17 to 103-19 Northern boulevard, north side, 40 ft. 2 in. west of 104th street (Block No. 1698, Lot No. 39), Corona, Borough of Queens.

APPEARANCES—

For Applicant: P. A. Cunnius.

For Administration: Thomas Larkin, fire dept.

ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1434-39-A)

WHEREAS, W. T. Grant Company (lessee), for Klarman Holding Company, owner, filed November 20, 1939, an appeal from an order of the fire commissioner, affecting premises 103-17 to 103-19 Northern boulevard, north side, 40 ft. 2 in. west of 104th street (Block No. 1698, Lot No. 39), Corona, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 3349-LF, dated October 19, 1939, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers in cellar having at least one source of water supply arranged and equipped as provided in Article 16, Chapter 26, Administrative Code."

and

WHEREAS, the building is one story (18 ft.) in height, 40 ft. 2 in. by 109 ft. in area, of Class 3 construction, erected in 1927, located in a business and residence use district and occupied: Cellar—storage and toilets; 1st floor—sales room—11 persons. Certificate of Occupancy No. 35163 was issued March 22, 1928, permitting the occupancy of the 1st floor for store—no persons and no occupancy in the basement; and

WHEREAS, the applicant contends that the basement contains only 4200 sq. ft., of which 1439 sq. ft. consists of fire passage, stairs, toilets, girls' rooms, etc., leaving a balance of only 2761 sq. ft. to be used as storage space; that in the event of fire, three means of access are available, two directly from the street and one from the main floor of the store; that by reason of the small area involved and the number of available entrances, that the firemen will have complete protection without the installation of the sprinkler system as required and that the merchandise stored in the basement is not of a hazardous nature.

Resolved, that the order of the fire commissioner, No. 3349-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying with the requirements of the building code therefor, except that the automatic alarm need not be installed; that the sprinkler heads may be spaced 25% in excess of the requirements; that all fittings and hangers shall be of malleable iron; that all horizontal lines may be close to the ceiling with proper pitch and 1½ inch drain and with heads pendant, except, however, that sprinkler heads installed in the unpacking space, waste-paper room and kitchen, if any, shall be connected with the domestic water supply line of the building and the dry and wet lines shall be cross connected and so equipped with check valves at the domestic water supply and at the pumper inlet that all heads shall be under Fire Department control from the sidewalk pumper inlet; that there shall be a single hose inlet of approved type on the exterior of the building at least 10 inches above the sidewalk and that the cap of this hose inlet and sign stating area covered, shall be painted aluminum; that sprinkler heads may be omitted in the heater room, provided same is enclosed in fireproof material with an approved fireproof, self-closing door; that this room shall be no larger than required for heating purposes and shall be used for no other use than for the heating system.

1442-39-A.

APPLICANT—Cliff Scott, for Vincent Astor, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—412 West 14th street, south side, 175 ft. west of Ninth avenue and 411-417 West

13th street (Block No. 646, Lot No. 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Cliff Scott.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1442-39-A)

WHEREAS, Cliff Scott, for Vincent Astor, owner, filed on November 27, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 412 West 14th street, south side, 175 ft. west of Ninth avenue and 411-417 West 13th street (Block No. 646, Lot No. 35), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent on Alt. Applic. 3548-39, dated November 16, 1939, reads:

"6. Marquee not permitted, Sec. 2.4.1.4.8 B.C. Further, length and width of marquee should comply with sec. 2.4.1.4.8, if marquee is permitted."

and

WHEREAS, the building is 3 stories and cellar (61 ft.) in height, 50 ft. front on West 14th street, 100 ft. front on West 13th street, a total depth of 206.6 ft.; of Class 3 construction; equipped with a sprinkler system; erected in 1900 and located in an unrestricted use district; occupied as a warehouse; it is proposed to occupy the building: Cellar—warehouse; 1st floor—warehouse and dressed poultry market; second floor—warehouse; 3d floor—warehouse; and to change a portion of the first floor on the 14th street side, having a frontage of 25 ft., by lowering the present floor level to sidewalk grade; thus enlarging the dressed poultry market now located at 414 West 14th street; and to erect a marquee on this front; and

WHEREAS, the applicant contends that this building is located on its 14th street side in a block entirely devoted to the handling and storage of meats and dressed poultry; that a marquee is essential in front of this area for this use in order to protect the dressed poultry in inclement weather; that a marquee now exists on the buildings to the east and west of this building, as shown on accompanying photographs; that it would be a hardship to compel the owner to stay within the limitations of section 2.4.1.4.8 of the building code, as practically the entire 14th street on the north and south side now have existing marquees.

Resolved, that the decision of the acting borough superintendent, on Alt. Applic. No. 3548-39, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 6, so as to permit the construction of a marquee as requested and as shown, *on condition* that it shall not extend more than 25 ft. in width and extending to the curb located as shown on plans and in all other respects shall meet the requirements of the building code therefor; and *granted* only so long as the occupancy of the building is devoted to the handling of meats and dress poultry.

1450-39-A.

APPLICANT — William Hyman, for Harman Building Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—58-45 186th street, east side, 440 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William Hyman.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1450-39-A)

WHEREAS, William Hyman, for Harman Building Corporation, owner, filed November 29, 1939, an appeal from decisions of the borough superintendent of buildings, affecting premises 58-45 186th street, east side, 440 ft. south of 58th avenue (Block No. 5690, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, on N.B. Applic. Nos. 8783-39 and 9371-39, dated November 10, and November 17, 1939, respectively, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Bldg. Code." and

WHEREAS, the premises consists of a plot 40 ft. by 100 ft. in area, on which it is proposed to erect a two-story frame one-family dwelling, 23 ft. by 27 ft. in area and a one-story one-car garage, 11 ft. by 19 ft. in area; and

WHEREAS, the applicant contends that the premises in question are part of a development of one family dwellings on lots 40 ft. by 100 ft., with one car frame garages and it is requested that similar action be taken by the board in this matter as was taken in previous applications affecting the same development.

Resolved, that the decisions of the borough superintendent on N.B. Applic. Nos. 8783-39 and 9371-39, be and they hereby are *modified* and that the appeal be and it hereby is *granted* to permit the erection of frame buildings as proposed, substantially as shown on plans filed herein, *on condition* that the building shall be limited to residential occupancy of one family; that the building shall comply with all the requirements of the "F" area district, except that one side yard need not exceed five feet in width, provided the distance between houses is not less than 15 feet, and except that the chimney breast may extend into the side yards for a distance of not over 1 foot; that any garage shall be not nearer than one foot to any side yard or rear lot line; that the first story of the building shall be of masonry, veneer; that the roof shall be surfaced with natural slate or approved asbestos or asphalt shingles; that in all other respects the buildings shall comply with the requirements for all buildings outside the fire limits.

1452-39-A.

APPLICANT—John J. Gilmartin, for R.C.A. Communications, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED — 64-68 Broad street and 31 Beaver street, northwest corner (Block No. 24, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

For Administration: Inspector Maher, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1452-39-A)

WHEREAS, John J. Gilmartin, for R. C. A. Communications, Inc., owner, filed on November 27, 1939, an appeal from an order and a decision of the Fire Commissioner, affecting premises 64-68 Broad street and 31 Beaver street, northwest corner (Block No. 24, Lot No. 1), Borough of Manhattan; and

WHEREAS, Order No. 5514-LF, issued by the Fire Commissioner August 28, 1939, reads:

"1. Replace missing iron shutters at all openings in the exterior wall which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at the North, West and South sides of building, or other approved protection. 491A2-2.0 Adm. Code."

and

WHEREAS, the said order was repeated in a decision of the Fire Commissioner, dated November 20, 1939; and

WHEREAS, the building is ten stories (130 ft.) in height, 98 ft. 8 in. by 69 ft. 3 in. in area; of Class 1 construction; equipped with a standpipe system; erected in 1891; located in a business use district and occupied: Cellar, storage; basement and 1st story—stores; 2nd to 10th floors, offices; and

WHEREAS, the applicant contends that the following windows are affected by the Order:

4 windows on the 9th floor and 6 on the 10th, north wall, overlooking the roof of the 4-story building.

On the rear wall of the north section of building are 3 windows on the 3rd floor, 1 on the 4th and 2 on each of the 5th, 6th, 7th, 8th, 9th and 10th floors, affected by the order.

On the rear wall of the south section, two windows on the 7th and 3 on the 8th, 2 on the 9th and 2 on the 10th.

On the north court wall, two windows on the 7th, 3 on the 5th, 3 on the 6th, 3 on the 7th, 3 on the 8th, 3 on the 9th and 3 on the 10th.

On the east court wall, 2 windows on the 4th, 5th, 6th, 7th, 8th, 9th and 10th.

On the south court, 3 windows on the 4th, 2 on the 5th, 3 on each of the 6th, 7th, 8th, 9th and 10th floors.

Total number of windows affected, being approximately 89; that all buildings causing the exposures are occupied for office purposes; that in view of the length of time the building has been erected and its occupancy for office purposes and the surrounding office use, the condition does not present a great hazard; that it would be a hardship on the owner to be compelled to provide fire protection for all the affected windows.

Resolved, that the Order of the Fire Commissioner, No. 5514-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the exposure windows on the north wall and on the west wall on the lot line shall be made fireproof, self-closing and shall have approved shutters on all lot line openings within 40 feet above the level of the 5-story building roofs including windows above the two story extension of adjoining buildings to similar height and waiving the requirements for fireproof windows in the interior court, so long as the exposure windows opposite such court of the building at 27 Beaver street are maintained fireproof and self-closing; and, *granted* only so long as the building under appeal is occupied as at present as an office building.

1458-39-A.

APPLICANT—A. G. Spalding and Brothers, Inc., owners.
SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED — 754-764 Pacific street, south side, 120 ft. east of Sixth avenue and Carlton avenue (Block No. 1458, Lot No. 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: F. V. S. Park and N. D. Malone.

For Administration: Thomas Larkin, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioner Blum 2
Negative: Commissioner Savage and Assistant Chief Walsh 2

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THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1458-39-A)

WHEREAS, A. G. Spalding and Brothers, Inc., owner, filed on November 28, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 754-764 Pacific street, south side, 120 ft. east of Sixth avenue and Carlton avenue (Block No. 1129, Lot No. 13), Borough of Brooklyn; and

WHEREAS, Order No. 3262-LF, issued by the fire commissioner September 28, 1939, reads:

"Objection 2. Provide a regulation fill line at least 2 inches in diameter for sprinkler supply tank. Present condition whereby tank is supplied through dead riser be discontinued and properly capped. C19-161.0 Administrative Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated October 31, 1939; and

WHEREAS, the building is 6 stories and basement (108 ft.) in height, 145 ft. by 80 ft. in area; of Class 1 construction; located in an unrestricted use district; erected in 1905 and occupied: Cellar—storage, no persons; 1st and 2nd floors—mfg. of toys, total of 75 persons; 3d floor—mfg. of mirrors, 20 persons; 4th and fifth floors—mfg. of gloves, 250 persons; 6th floor—mfg. of coats, 150 persons; and

WHEREAS, the applicant contends that this appeal is made from an order issued subsequently to the date upon which the applicant contracted to sell the property; that the condition complained of has been in existence since the installation of the sprinkler system and was at that time approved by the department; that the system is in good working order, a supply of water is always available in the tank, being supplied by a pump, and it is requested that the present and previously approved condition be permitted to continue.

Resolved, that the order of the fire commissioner, No. 3262-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the sprinkler system is maintained to the satisfaction of the fire commissioner, and that this sprinkler system shall not be a basis for waiving the requirements for a fire alarm or fire drill, unless such system under plans to be filed, as approved as complying in all respects with the sprinkler rules of the board as applying to a factory building.

726-29-A.

APPLICANT—C. H. Wilson, for Bush Terminal Co., owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Pier No. 8, Foot of 39th street, south side, 1871 ft. west of Second avenue (Block No. 706, Lot No. 75), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. H. Wilson.

For Administration: Thomas Larkin, fire dept.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(726-29-A)

WHEREAS, Bush Terminal Co., owner, filed, December 12, 1929, an appeal from an order of the fire commissioner, affecting premises Pier No. 8, Bush Terminal, foot of 39th street, Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated March 27, 1929 (Order No. 52432-F), reads:

"1. Install an approved 4" standpipe in accordance with the rules of the Board of Standards and Appeals. Sec. 580-581, Art. 28, Ch. 5, Code of Ordinances.

"2. Install a separate and distinct dry system of automatic sprinklers throughout pier having at least one source of water supply arranged and equipped as provided in rules for fire extinguishing appliances adopted by the Board of Standards and Appeals, Nov. 9, 1927";

and

WHEREAS, the premises consist of a pier located at the foot of 39th street, Brooklyn, 600 ft. 2 in. by 60 ft. in area, of wood and steel construction, with corrugated steel sides; 100 employees; the stock on pier consisting of heavy cargoes—wooden barrels of olive oil, etc.; and

WHEREAS, appellant contends that there is a fireboat stationed at a dock located within a few hundred feet of the pier in question; that there is an existing 3-inch standpipe line on the pier and that this standpipe is fed from a 4-inch city main; appellant contends, further, that there are high-pressure city fire hydrants in the immediate vicinity; and

WHEREAS, this appeal was granted by the board February 18, 1930, on certain conditions and owner requested an amendment of the resolution, to include order of the fire commissioner, No. 304-LF, dated October 27, 1939, reading:

"1. Arrange sprinkler siamese at shore end of pier, so as to be readily accessible***.

2. Provide legible signs indicating location of fire appliances."

3. Provide 2 additional 50 ft. lengths of 2½ in. approved hose***.

4. Provide 6 approved water casks of at least 40 gallons capacity with six water buckets to each cask throughout pier***.

5. Arrange for a test of sprinkler siamese and connections***."

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of February 18, 1930, so that as amended, it shall read:

"*Resolved*, that the order of the fire commissioner be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Item 1, *on condition* that sufficient hose and hose racks be provided as required by the fire department, and *on the further condition* that the order of the fire commissioner, Item No. 2, that a separate and distinct dry system of automatic sprinklers be installed throughout the pier be complied with.

Resolved further, that the requirements of the order of the fire commissioner, No. 304-LF, dated October 27, 1939, Item No. 3, as to additional lengths of hose shall be complied with and that Item 2 as to legible signs and Item 5 as to arranging for test for sprinkler system siamese, shall be complied with, and that the order as to Item 4 be reversed, provided that in all other respects the resolution of the board adopted February 18, 1930, shall be complied with."

VARIATION OF LABOR LAW

1390-39-S.

APPLICANT—Alfred H. Eccles, for Gordon Baking Company, owner.

SUBJECT—Variation of the Labor Law as cited in an order and a decision of the fire commissioner.

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PREMISES AFFECTED — 42-25 21st street, southeast corner of Bridge Plaza South (Block No. 427, Lot No. 27), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles.

For Administration: Thomas Larkin, fire dept.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Negative

0

THE RESOLUTION—

(1390-39-S)

WHEREAS, Alfred H. Eccles, for Gordon Baking Company, owner, filed on November 3, 1939, an application for variation of the Labor Law, as cited in an order and decision of the fire commissioner, affecting premises 42-25 21st street, southeast corner Bridge Plaza South (Block No. 427, Lot No. 27), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, No. 2580-LF, undated, reads:

"7. Remove panic bolts from exit doors on first story as per Sec. 272 of the Labor Law."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated November 1, 1939; and

WHEREAS, the building is 1, 2 and 4 stories (79 ft.) in height, 415 ft. by 288 ft. in area at 1st floor; of non-fireproof construction; located in an unrestricted use district; erected between 1928 and 1935; occupied: 1st floor, bakery, 30 persons; 2nd floor, same, 10 persons; 3rd floor, flour storage and blending—4 persons; 4th floor, flour storage and blending—3 persons; and

WHEREAS, the building is equipped with a sprinkler system, interior fire alarm system, five interior 3 ft. 8 in. fireproof stairs, two of which extend from roof to street; and

WHEREAS, the applicant contends that each floor is served by a stairway and horizontal exit; that the 1st floor is 4 ft. above the sidewalk level and there are large unguarded windows to the left of the exit doors; that the panic bolts were installed in order to safeguard the owner's investment; that it is proposed to provide panic bolts with outside key and to deposit a key at the local fire house, if this method of providing access is acceptable to the board.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, and that the application be and it hereby is *granted*, as to Order No. 2580-LF, Item 7, *on condition* that the panic bolts as proposed, shall be installed only on the doors leading to 22nd street, Bridge Plaza South and one door on 21st street and that the main entrance door on 21st street shall have no panic bolt and shall be guarded by an attendant at all times during working hours; that the key, as proposed need not be deposited at the local fire house; that in all other respects the requirements of the order of the fire commissioner shall be complied with.

Adjourned, 6:05 P.M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals, held on October 24, 1939, as they appeared in Bulletin No. 44, Vol. 24, are hereby corrected to read as follows:

1087-39-A.

APPLICANT—London Terrace Garage, Inc., adjoining property owner.

OWNER OF PREMISES—G. G. A. Development Corp.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Permit No. 2759 and Certificate of Occupancy No. 23772-38.

PREMISES AFFECTED—447-459 West 26th street, north side, 125 ft. east of Tenth avenue (Block No. 724, Lot Nos. 7 to 10, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Louis A. Jackson, Herman Kron, and D. Lieberman.

For Owner: Ben C. Block and Oscar Goldschlag.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative

0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

4

Absent

0

THE RESOLUTION—

(1087-39-A)

WHEREAS, the London Terrace Garage Inc., adjoining property owner, filed on September 1, 1939, an appeal from a decision of the Borough Superintendent of Buildings, refusing to revoke Certificate of Occupancy No. 23772-38 and Drop Curb Permit 2759, affecting premises 447-459 West 26th street, north side, 125 ft. east of Tenth avenue (Block No. 724, Lot Nos. 7 to 10 inclusive), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent, dated August 16, 1939, reads:

"In reply to your letter of August 7, 1939, please be advised that the above premises were approved for a gasoline station, parking space and drop curb. Permit No. 2759 was issued for drop curb on August 6, 1936. Certificate of Occupancy No. 23772-38 was issued on June 30, 1938.

The drop curb permit was issued while those premises were within an unrestricted district and certificate of occupancy was issued in 1938 based on this established fact of occupancy during 1936.

The drop curb permit was issued while these premises were within an unrestricted district and the subsequent change to residence district does not void the permit or certificate of occupancy."

and

WHEREAS, the premises consist of a plot 175 ft. by 98 ft. 9 in. in area, upon which there has been erected a one-story metal frame building 12 ft. in height, 10 ft. 8 in. by 12 ft. in area. The plot is located in a residence use, "B" area, district and occupied: Storage and parking of more than five motor vehicles and gasoline service station; and

WHEREAS, the applicant contends that on or about October 7, 1936, an application was filed for a permit from the Division of Combustibles, Fire Department, for an oil and gasoline filling station, that the Division had approved a 550 gallon tank on or about August 29, 1936; that work was commenced on August 26, 1936; that this application did not cover parking of motor vehicles; that on February 2, 1938, a letter was sent by the Department of Housing and Buildings to the Division of Combustibles, advising that the premises had not been approved for the parking of more than five automobiles; that on July 13, 1936, the Division of Combustibles filed Violation No. 13546-LC, which affected the question of proper zoning; that there was no certificate of occupancy at that time; that on August 6, 1938, an application was filed in the Division of Combustibles for a permit for the gasoline station; that the zone was given as "unrestricted"; that on September 6, 1938, the Division of Combustibles notified the operator of the premises that they had no permit to sell the gasoline and operate a gasoline station; that the permit for the

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operation of a gasoline station was first approved June 9, 1938, but the operator never secured the permit and never paid the fee therefor; that on all applications submitted to the Division of Combustibles, the question in connection with the parking of cars was deleted and eliminated; that prior to October 29, 1936, the premises were in an unrestricted use district; that after said date the area was rezoned to a residence use district; that up to to as late as July 14, 1939, there was no permit for the operation of a gasoline service station; that on June 30, 1938, the Department of Housing and Buildings issued its certificate of occupancy No. 23772, permitting the store and public parking space for more than five cars and gasoline service station; that it is to be noted that the certificate states that it is in an "Unrestricted District." On April 12, 1938, an application was made for the erection of a one-story, temporary metal shed for a watchman and this application (No. 69-1938) was approved June 16, 1938; that the work in

connection with the drop curb cut permit was commenced on the 10th day of August, 1936, and the date signed off was January 30, 1937; that the granting of the certificate of occupancy for the parking of more than five motor vehicles and for a gasoline station was illegal and should be revoked; the cut curb permit should also be revoked; and

WHEREAS, the board found that application for curb cuts, gasoline station and parking were duly filed and approved prior to the change of zoned use.

Resolved, that the decision of the Borough Superintendent of Buildings, dated August 16, 1939, be and it hereby is affirmed and the appeal to revoke the Certificate of Occupancy and drop curb permit, be and it hereby is denied.

* Correction.—The name "Oscar Goldschlag," recorded as in appearance for applicant, is transposed and recorded—as in appearance for owner.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or required with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of

the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939.

(1139-39-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Building Code (2.2.1.1) and C26-610.0 Administrative Building Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Building Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Building Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1—Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspections.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough

Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9 (7.2.3.1 to 7.2.3.9 inclusive).

2.3 After the materials have been cut and inspected, the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labels.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 52

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed up to December 19, 1939

<i>Cal. No.</i>	<i>Department</i>	<i>Premises Affected</i>	
1496-39-SM.....		Lion One and One-half Hour Test Kalamein Door, manufactured by Lion Fire Proof Sash and Door Co., Inc., Material.	weight Concrete Slabs for Floor and Roof Construction, manufactured by Porete Manufacturing Company, Material.
1497-39-SM.....		Pioneer One and One-half Hour Test Kalamein Door, manufactured by Pioneer Fireproof Door Corporation, Material.	1508-39-SM.....Porete Precast Floor and Roof Slab, 12 in. x 4 in. x 15 ft. (to be used on Steel Beams on 15 ft. C.C.), manufactured by Porete Manufacturing Company, Material.
1498-39-SM.....		Union Metal Tapered Steel Monotube Piling, manufactured by The Union Metal Manufacturing Company, Material.	1509-39-A.....F.D.....2581 Richmond Terrace, north side, 120 ft. west of Granite avenue (Block No. 1107, Lot No. 36), Port Richmond, Borough of Richmond, 5412-L.F. and Decision.
1499-39-A.....	F.D.....	46 Maujer street, south side, 25 ft. west of Lorimer street (Block No. 2791, Lot No. 27), Borough of Brooklyn, 81537-L.C.	1510-39-A.....H.B.Q.....56-14 Nurge avenue, south side, 135 ft. east of 56th street (Block No. 2643, Lot No. 34), Maspeth, Borough of Queens, Misc. Applic. 5326-39.
1500-39-SM.....		"Safe Tread" Anti-slip Material (made of cast iron, cast bronze, and cast aluminum alloy), manufactured by The Safe Thread Company, Inc., Material.	1511-39-A.....H.B.Q.....85 - 07 Northern boulevard, southeast corner of 85th avenue (Block No. 1433, Lot No. 1 and part of Lot No. 3), Jackson Heights, Borough of Queens, M 8984-39.
1501-39-BZ....	H.B.Bx....	2012 Daly Avenue, east side, 66.35 ft. south of East 179th street (Block No. 3127, Lot No. 11), Borough of The Bronx, N.B. 797-39.	1512-39-A.....H.B.Q.....157-21 Liberty avenue and 94-76 158th street, southwest corner (Block No. 10109, Lot Nos. 31 and 44), Jamaica, Borough of Queens, M 8945-39.
1502-39-A.....	H.B.Q.....	79-39 Oceania street, east side, 400.02 ft. south of Richland avenue (Block No. 7766, part of Lot No. 1), Flushing, Borough of Queens, N.B. 9737-39.	1513-39-A.....H.B.B.....136-146 Marshall street, south side, 150 ft. east of Gold street (Block No. 12, Lot No. 1), Borough of Brooklyn, Misc. Applic. 5686-39.
1503-39-SM.....		Whitehall Dark Portland Cement, manufactured by Whitehall Cement Manufacturing Company, Material.	1514-39-A.....H.B.B.....90-98 Flatbush avenue, west side, 110 ft. north of Schermerhorn street (Block No. 174, Lot No. 18), Borough of Brooklyn, Applic. 7403-38.
1504-39-SM.....		Whitehall Portland Cement (regular), manufactured by Whitehall Cement Manufacturing Company, Material.	1515-39-BZ.....H.B.Q.....105 Rockaway Breezy boulevard, north side, 400 ft. east of Reid avenue (Block No. 900, Lot No. 1), Rockaway Point, Borough of Queens, M Applic. 8190-39.
1505-39-SM.....		Whitehall High Early Portland Cement, manufactured by Whitehall Cement Manufacturing Company, Material.	1516-39-BZ....H.B.Bx....Northwest corner of Grand Concourse and East 150th street (Block No. 2348, Lot No. 36), Borough of The Bronx, N.B. 941-39.
1506-39-A.....	F.D.....	44-14 Astoria Boulevard South, southwest corner of 45th street (Block No. 717, Lot Nos. 29 and 34), Long Island City, Borough of Queens, Decision re 80523-L.C.	1517-39-A.....F.D.....306 New Lots avenue, south side, 80 ft. east of Georgia avenue (Block No. 4296, Lot No. 5), Borough of Brooklyn, 81754-L.C.
1507-39-SM.....		Porete 16 in. x 9 in. Tongue and Groove Reinforced Light-	1518-39-SM.....Hoosac Quicklime and Adams Granular Quicklime for Masonry and Plastering,

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manufactured by Hoosac Valley Lime Company, Inc.,
Material.

1519-39-SM.....Hoosac Hydrated Lime for
Masonry, manufactured by
Hoosac Valley Lime Com-
pany, Inc., Material.

1520-39-SM.....Connell One and One-half
Hour Hollow Metal Fire
Door, manufactured by Supe-
rior Steel Door and Trim
Company, Inc., Material.

1521-39-BZ....H.B.M.....368-372 Convent avenue and 452
West 146th street, southwest
corner (Block No. 2060, Lot
No. 51), Borough of Manhat-
tan, Alt. 3166-39.

1522-39-SM.....Waylite-Superock (Coarse and
Fine Aggregate), manufac-
tured by Waylite - Superock
Company, Material.

1523-39-SM.....Pilgrim Hydrated Lime for
Masonry, manufactured by
Rockland - Rockport Lime
Company, Inc., Material.

1524-39-SM.....Star Quicklime, Failproof
Quicklime and Rockland Wa-
terproof Quicklime, manu-
factured by Rockland - Rock-
port Lime Company, Inc.,
Material.

1525-39-A.....F.D.....81 Vesey street, southeast cor-
ner of Washington street
(Block No. 83, Lot No. 10),
Borough of Manhattan,
17516-L.C. and Decision.

Restored to Calendar

150-38-BZ....H.B.M.....4275-4295 Broadway, west side,
182 ft. 1¼ in. north of West
181st street (Block No. 2180,
Lot No. 95) Borough of
Manhattan,
Decision re Certificate
of Occupancy.

559-39-SA.....Westinghouse Spiralaire Oil
Burner, Model K-1,
Appliance.

DESIGNATIONS: H.B.—Department of Housing and Build-
ings; H.B.B.—Department of Housing and Buildings,
Brooklyn; H.B.M.—Department of Housing and Buildings,
Manhattan; H.B.Q.—Department of Housing and Build-
ings, Queens; H.B.R.—Department of Housing and Build-
ings, Richmond; H.B.Bx.—Department of Housing and
Buildings, Bronx; H.D.—Health Department, and F.D.—
Fire Department.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS

On Dec. 20, 1939, Edgar A. Palmieri, attorney, served on Board,
on behalf of 440 East 102nd St. Corp., petition and order of certiorari,
in re decision of Board on Oct. 24, 1939, revoking permit for gas
station, Cal. No. 1219-39-A, premises s.w. cor. East River Drive and
East 102nd Street, Manhattan.

COURT DECISIONS

Bazinsky vs. Kesbec, Inc.—A permanent injunction was granted in
injunction proceedings on behalf of two garage owners and
a lessee, who claimed to be injured by illegal operation of
parking lot at 2389 Jerome Avenue, in a business district
in violation of the Zoning Resolution. Mr. Justice Shein-
tag (N.Y.L.J. Dec. 21, 1939) rendered the following
decision:

"My conclusions in this case are as follows:

1. The operation by the defendant of the business of
parking and storing more than five motor vehicles on the
premises in question violates not only the provisions of
the Amended Building Zone Resolution, Article II, section
4, subdivision A, subsection 15, but also Article V, sec-
tion 21. The former provision makes illegal the use of
any premises in a business district for the storing or
parking of more than five motor vehicles. The latter
provision prohibits the operation on any premises which
are either within 200 feet of an entrance or exit to a
public school or are on a portion of a street between two
intersecting streets in which portion there exists an en-
trance or exit to a public school of the business of park-
ing or storing more than five motor vehicles. The record
establishes that the defendant's use of the premises is in
conflict with both of these zoning resolutions, and there-
fore such use is illegal (see Boyd vs. Walsh, 217 App. Div.,
461, aff'd 244 N.Y., 512). An application for a variance
of the Building Zone Resolution has been denied by the
Board of Standards and Appeals (Cal. No. 389-36-BZ).
The fact that the defendant's use antedates the enactment
of the Building Zone Resolution does not operate in
favor of the defendant. The precise question here raised
and the very argument presented by the defendant in this
case have already been determined adversely to the posi-
tion of the defendant by the Court of Appeals in People
&c. v. Wolfe (248 App. Div. 721, aff'd 272 N.Y. 608)
and in People &c. v. Kesbec (257 App. Div., 941, aff'd 281
N.Y., 209), when it held that the provisions of the Build-
ing Zone Resolution were retroactive and their retroactive
effect did not violate any constitutional principle (see also
Hodachek v. Los Angeles (239 U.S., 394).

2. Plaintiffs are entitled to maintain this action.
They have proved that they have suffered and will con-
tinue to suffer special damages. In such circumstances
equitable aid will follow (Ackerman v. True, 175 N.Y.,
535; Seidman v. Tilrose, 153 Misc., 510; Rice v. Van
Vranken, 132 Misc., 82, aff'd 225 App. Div., 179, aff'd 255
N.Y., 541). The argument made by the defendant that
the use of the premises must amount to a nuisance per se
in order to entitle plaintiffs to an injunction is without
merit (see Rice v. Van Vranken, supra; Bailer v. Ringe,
255 App. Div., 976; Kaltenbach v. Benisch, 252 App. Div.
788).

3. Judgment accordingly is directed in favor of the
plaintiffs, restraining the defendant from the use of its
premises in violation of the Building Zone Resolution.
Settle findings of fact, conclusions of law and judgment
on notice."

* * *

Matter of Beyer (Murdock)—On Jan. 17, 1939, the Board denied
application for parking and storage of automobiles, partly
in residence and partly in business district, under sections
7-h and 21, for 2-year period, Cal. No. 390-37-BZ, 50-02
Skilman Ave., L. I. City. Mr. Justice Lockwood sustained
Board stating its decision was neither unreasonable nor
arbitrary (N.Y.L.J. Dec. 23, 1939).

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JANUARY 3, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, January 3, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 845-39-BZ—Application, June 23, 1939, under section 21 of the building zone resolution of Sidney H. Kitzler, applicant, on behalf of Harris Goody Realty Co., Inc., owner (Jack Nelson, lessee), to permit in a business use district, the erection of an accessory building on an existing gasoline service station; premises 253-263 Empire boulevard and 369-379 Rogers avenue, northeast corner (Block No. 1308, Lot No. 1), Borough of Brooklyn.

CAL. NO. 902-38-BZ—Application, October 18, 1938, under section 21 of the building zone resolution, of John R. Kilpatrick, applicant, on behalf of Madison Square Garden Corporation, owner, to permit in a residence use district and, also, within 200 feet of a hospital, the parking and storage of more than five (5) motor vehicles; premises 337-341 West 49th street, north side, 225 ft. east of Ninth avenue and 348-352 West 50th street (Block No. 1040, Lot Nos. 54, 55, 9, 10, 11 and part of Lot No. 14), Borough of Manhattan.

CAL. NO. 566-39-BZ—Application, May 3, 1939, under section 7h of the building zone resolution, of Nicholas F. Walsh, applicant, on behalf of Nicholas F. Walsh, Helen A. Walsh, Joseph A. Walsh, Mary A. Walsh and John A. Walsh, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 140 Post avenue, west side, 100 ft. north of West 207th street (Block No. 2223, Lot No. 22), Borough of Manhattan.

CAL. NO. 1392-39-BZ—Application, November 9, 1939, under section 7h of the building zone resolution, of Alfred A. Tearle, applicant, on behalf of 870 Eighth Avenue Corporation, owner, to permit partly in a business use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; the board having previously granted permission to occupy a portion of these premises as a parking and storage space for more than five (5) motor vehicles; premises 870-872 Eighth avenue and 265-273 West 52nd street, northeast corner (Block No. 1024, Lot Nos. 1, 2, 104, 105, 5 and 106), Borough of Manhattan.

CAL. NO. 148-35-BZ—Application of William J. Minogue, applicant, on behalf of 170 Dyckman Street Corporation, owner, reopened June 7, 1939, under sections 7a and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the conversion of occupancy of the 2nd story of an existing building from office use, previously granted by the board, to bowling alleys; premises 168-170 Dyckman street, west side, 100 ft. north of Sherman avenue and 71 Thayer street (Block No. 2175, Lot No. 70), Borough of Manhattan.

CAL. NO. 422-39-BZ—Application, April 4, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Bonded Lien Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 305-313 21st street and 697-705 Sixth avenue, northwest corner (Block No. 892, Lot No. 1), Borough of Brooklyn.

CAL. NO. 534-39-BZ—Application, April 27, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Emil Lazansky, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 86-96 Wyckoff avenue and 1615-1623 DeKalb avenue, southwest corner (Block No. 3237, Lot No. 33), Borough of Brooklyn.

CAL. NO. 390-39-BZ—Application, March 29, 1939, under sections 7h and 21 of the building zone resolution, of John B. Leonard, applicant and lessee, on behalf of Ruth Allison Lilly, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1337 Leland avenue and 1850-1852 East 177th street, southwest corner (Block No. 3879, Lot Nos. 33, 34 and 37), Borough of The Bronx.

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CAL. NO. 1017-39-BZ—Application, July 31, 1939, under section 7h of the building zone resolution, of Edward J. Carr, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 448-452 East 189th street, south side, 89.02 ft. east of Third avenue (Block No. 3042, Lot Nos. 27 and 29), Borough of The Bronx.

CAL. NO. 1115-39-BZ—Application, September 11, 1939, under sections 7a and 21 of the building zone resolution, of Lawrence M. Rothman, applicant, on behalf of Herblou Corporation, owner (Wyatt Iron Works, Inc., lessee), to permit the extension of an iron works from an unrestricted use district into a business use district; premises 1211 Wyatt street, northwest corner of Van Nest avenue (Block No. 3908, Lot Nos. 53 and 66), Borough of The Bronx.

CAL. NO. 517-39-BZ—Application, April 25, 1939, under sections 7h of the building zone resolution, of Thomas I. Sheridan, applicant and owner, to permit partly in a residence use district and partly in a business use district, the use of a plot of ground for a gasoline service station, lubritorium and auto laundry and, also, for parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive and 30), Astoria, Borough of Queens.

CAL. NO. 1206-39-BZ—Application, October 3, 1939, under section 7a of the building zone resolution, of James Lewis Munson, applicant, on behalf of Menley & James, Ltd., owner, to permit upon a plot located partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a business building (storage of paper cartons); premises 91-17 to 91-27 138th place, northwest corner of Archer avenue (Block No. 9981, Lot Nos. 26 and 20), Jamaica, Borough of Queens.

CAL. NO. 310-39-BZ—Application, March 13, 1939, under sections 7h and 21 of the building zone resolution, of Alexander Ketterson, applicant, on behalf of Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 249-253 West 43rd street, north side, 200 ft. east of Eighth avenue (Block No. 1015, Lot Nos. 10 and 11), Borough of Manhattan.

CAL. NO. 691-39-BZ—Application, May 23, 1939, under section 7a of the building zone resolution, of Thomas M. Bell, applicant, on behalf of Gainsborough Studios, Inc.,

owner, to permit in a residence use district, the installation of a door leading from a restaurant and cafe on the 1st story of the existing building to the street; premises 222-224 West 59th street, south side, 325 ft. west of Seventh avenue (Block No. 1030, Lot No. 46), Borough of Manhattan.

CAL. NO. 459-39-BZ—Application, April 12, 1939, under section 7h of the building zone resolution, of Lama and Proskauer, applicant, on behalf of Leon K. Rockmore, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 3, 1940, 2 P. M.

Appeals from Administrative Decisions

1369-39-A—70-27 80th street (Dry Harbor road), southeast corner of Cooper avenue (Block No. 3806, Lot No. 2), Glendale, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1488-39-A—213-54, 214-02 and 214-04 33rd road, south side, 200.27 ft., 253.77 ft. and 302.27 ft. east of Bell boulevard (Block No. 6116, part of Lot No. 20 and Block No. 6118, part of Lot No. 1), Bayside, Borough of Queens (Under Section 35, General City Law, Re: Bed of Mapped Street).

1111-39-A—545-567 Ridgewood avenue, northeast corner of Nichols avenue (Block No. 4122, Lot Nos. 1 and 100), Borough of Brooklyn.

1370-39-A—595-597 Wales avenue, northwest corner of East 150th street (Block No. 2642, Lot Nos. 56-59), Borough of The Bronx.

1401-39-A—180 South street, west side, 140 ft. south of Roosevelt street (Block No. 110, Lot No. 14), Borough of Manhattan.

1414-39-A—331-353 McKibben street, northwest corner of Bogart street (2nd floor); (Block No. 3083, Lot No. 30), Borough of Brooklyn.

1400-39-A—64-88 Nostrand avenue and 563-569 Park avenue, northwest corner (1st floor, north); (Block No. 1718, Lot No. 1), Borough of Brooklyn.

1459-39-A—536-546 West 23rd street, south side, 225 ft east of 11th avenue (Block No. 694, Lot No. 58), Borough of Manhattan.

1481-39-A—9-15 East 135th street, north side, 100 ft. east of Fifth avenue and 10-16 East 136th street (Block No. 1760, Lot No. 5), Borough of Manhattan.

1406-39-A—175-177 North 7th street, north side, 175 ft. east of Bedford avenue and 182 North 8th street (Block No. 2320, Lot Nos. 30 and 31), Borough of Brooklyn.

1433-39-A—32-42 and 32-52 33rd street, west side, from 400 ft. to 600 ft. south of Broadway (Block No. 612, Lot Nos. 53 and 57), Long Island City, Borough of Queens.

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1453-39-A—165-18 South road, south side, 110.63 ft. east of 165th street (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.

1486-39-A—104-05 35th avenue, north side, 170.20 ft. west of 105th street (Block No. 1744, Lot No. 31), Corona, Borough of Queens.

1480-39-A—73-03, 73-07 and 73-11 185th street, southeast corner of 73rd avenue and east side of 185th street, 47.88 ft. and 87.88 ft. south of 73rd avenue (Block No. 7173, Lot No. 1), Flushing, Borough of Queens.

1512-39-A—157-21 Liberty avenue and 94-76 158th avenue, southwest corner (Block No. 10109, Lot Nos. 31 and 34), Jamaica, Borough of Queens.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, January 3, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 351-35-BZ—Application of Jerrold Kane, applicant, on behalf of Camager Corporation, owner, reopened November 28, 1939 re extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the maintenance of a parking space for more than five (5) motor vehicles for a temporary period; premises 35-40 Junction boulevard, west side, 100.8 ft. north of 37th avenue (Block No. 1469, Lot Nos. 1 and 26), Corona, Borough of Queens.

CAL. NO. 736-38-BZ—Application of Rockefeller Center, Inc., applicant and lessee (The Trustees of Columbia University in the City of New York, owner), reopened November 28, 1939 for consideration re amendment of resolution—re Application, to permit in a retail use district, the installation of a gasoline dispensing system, with sale of gasoline to patrons and to service cars with oil and lubrication, in a garage (permission to erect which was granted by the Board under section 7g of the building zone resolution), on the 48th street side of building; premises 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 9, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 9, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 929-39-BZ—Application, July 11, 1939, under sections 7a and 21 of the building zone resolution, of Lama and Proskauer, ap-

plicants, on behalf of Oliver S. Chatfield, owner, to permit in a business use district, the alteration of an existing garage and gasoline service station and the increase in area of the gasoline station by the relocation of the front wall of the garage; premises 97-01 to 97-09 Northern boulevard, northeast corner of 97th street (Block No. 1427, Lot Nos. 38 and 41), Corona, Borough of Queens.

CAL. NO. 1006-39-BZ—Application, July 26, 1939, under section 21 of the building zone resolution, of George G. Miller, applicant, on behalf of Rolleen Realty Corporation, owner, to permit in a residence use district, the lowest level of a rear yard above the curb level; premises 61-70 Overlook terrace, southwest corner of West 187th street (Block No. 2180, Lot No. 46), Borough of Manhattan.

CAL. NO. 1116-39-BZ—Application, September 11, 1939, under section 21 of the building zone resolution, of Frederick E. Goldsmith, applicant, on behalf of Avenue "N" Operating Corporation, owner, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises 1811-1819 McDonald avenue, east side, 60 ft. south of Avenue "P" (Block No. 6633, part of Lot No. 12), Borough of Brooklyn.

CAL. NO. 1132-39-BZ—Application, September 14, 1939, under sections 7c and 21 of the building zone resolution, of Robert J. Farrington, applicant, on behalf of J. Clarence Davies, Inc. and Consolidated Edison Co. of New York, Inc., owners (F. W. Woolworth Co., lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an extension to an existing business building; premises 31-34 Westchester square, west side, 185.65 ft. south of Frisby avenue and 2580 Frisby avenue (Block No. 3984, Lot No. 30 and part of Lot No. 16), Borough of The Bronx.

CAL. NO. 670-39-BZ-WF—Application, May 22, 1939, under section 7h of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Traders Building Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-19 National avenue, 102-01 to 102-13 42nd avenue, 41-27 to 41-33 102nd street and 41-18 to 41-30 103rd street (Block No. 1976, Lot Nos. 7, 10 and 13 to 16, inclusive), Corona, Borough of Queens.

CAL. NO. 1152-39-BZ—Application, September 20, 1939, under section 21 of the building zone resolution, of Philip Birnbaum, applicant, on behalf of Crescent Holding Corporation, owner, to permit in a residence use district, the erection and maintenance of two (2) multiple dwellings having

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garages for more than three (3) motor vehicles in the basement story; garage space is for the use of tenants only; premises 77-15 and 77-25 113th street, north side of 77th avenue, south side of 78th avenue, from 113th street to 113th place (Grand Central parkway extension); (Block No. 2269, Lot Nos. 2-24-32), Forest Hills, Borough of Queens.

CAL. NO. 455-39-BZ—Application, April 11, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Caroline B. Gale, owner (Jamaica Parking and Realty Corporation 7h of the building zone resolution, district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-11 166th street, east side, 45 ft. south of 89th avenue (Block No. 9798, Lot No. 22), Jamaica, Borough of Queens.

CAL. NO. 876-39-BZ—Application, June 29, 1939, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Anne Adelman and Henrietta Solomon, owners (Jamaica Parking and Realty Company, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-03 to 89-17 169th street and 169-02 to 169-10 89th avenue, southeast corner (Block No. 891, Lot Nos. 15 and 18), Jamaica, Borough of Queens.

CAL. NO. 94-38-BZ—Application of Arthur W. Renander, applicant, on behalf of Jeho Company, Inc., owner (Jamaica Parking Company, Inc., lessee), reopened and restored to calendar May 9, 1939, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously withdrawn); premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 188-39-BZ—Application, February 17, 1939, under section 7h of the building zone resolution, of H. B. Pickering, applicant, on behalf of The Nicholls Holding Co., Inc., owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 204-208 East 45th street, south side, 80 ft. east of Third avenue and 209-211 East 44th street and rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5 to 8, inclusive and 45 to 47, inclusive), Borough of Manhattan.

CAL. NO. 951-39-BZ—Application, July 14, 1939, under section 21 of the building zone resolution,

of Emil Koeppel, applicant, on behalf of Madeline Hecht, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1-7 Henry street and 108-114 Fulton street, southeast corner (Block No. 212, Lot Nos. 11 and 12), Borough of Brooklyn.

CAL. NO. 856-39-BZ—Application, June 26, 1939, under sections 7a and 21 of the building zone resolution, of Frank E. Wall, applicant, on behalf of Frank J. Humphreys, owner (Staten Island Service Stations, Inc., lessee), to permit in a business use district, the extension of an existing gasoline service station and also the extension of an accessory building on an existing gasoline service station; premises 823 Forest avenue, north side, 100 ft. west of Broadway (Block No. 220, Lot No. 66), West New Brighton, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 9, 1940, 2 P. M.

Appeals from Administrative Decisions

- 1430-39-A—130 Amity street, south side, 217 ft. east of Henry street (Block No. 296, Lot No. 15), Borough of Brooklyn.
- 1297-39-A—176 East 19th street, west side, 150 ft. north of Beverly road (Block No. 5122, Lot No. 30), Borough of Brooklyn.
- 1445-39-A—47-46 11th street, northwest corner of 48th avenue (Block No. 45, Lot No. 22), Long Island City, Borough of Queens.
- 1461-39-A—143-49 Barclay avenue, north side, 100 ft. northwest of Parsons boulevard (Block No. 885, Lot No. 37), Flushing, Borough of Queens.
- 1177-39-A—60-19 to 60-21 Roosevelt avenue, northeast corner of 60th street (Block No. 1229, Lot No. 16), Woodside, Borough of Queens.

JANUARY 16, 1940, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 16, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matters:*

CAL. NO. 47-38-BZ—Application, January 26, 1938, under sections 21 and 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harris Ratner, Inc., owner, to permit partly in a residence use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 27-41 Nagle avenue, south side, 300 ft. west of Elwood street and 12-18 Bogardus place (Block No. 2171, Lot No. 12 and part of Lot Nos. 16 and 18), Borough of Manhattan.

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CAL. NO. 1121-39-BZ—Application, September 8, 1939, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue (Block No. 4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 16, 1940, 2 P. M.

Appeals from Administrative Decisions

697-39-A—28 Bowery and 43 Bayard street, southwest corner (Block No. 163, Lot No. 33), Borough of Manhattan.

696-39-A—2321 Third avenue and 201 East 126th street, northeast corner (Block No. 1791, Lot No. 1), Borough of Manhattan.

JANUARY 23, 1940, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January 23, 1940, at 2 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 71-35-BZ—Application of Abraham N. Horwitz, applicant, on behalf of John Krupski, owner, reopened December 5, 1939, re consideration as to extension of permit—permit having expired by limitation—

re Application previously granted on condition, under section 21 of the building zone resolution, permitting in a residence use district, the maintenance of a garage for the storage of one (1) commercial motor vehicle for a temporary period; premises 147-15 Brinkerhoff avenue, north side, 100 ft. east of Liverpool street (Block No. 2725, Lot Nos. 412 and 414), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 30, 1940, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January 30, 1940, at 10 o'clock, in Room 1013, Municipal Building, Manhattan, on the following matter:*

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubricatory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, DECEMBER 19, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief, Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, November 14, 1939, and the minutes of the regular meeting of the Board held on Tuesday afternoon, November 14, 1939, were approved as printed in Bulletin No. 47, Vol. 24.

BUILDING ZONE CASES

310-39-BZ.

APPLICANT—Alexander Ketterson, for Ascension Memorial Church, owner (Herald Parking and Renting, Inc., lessee).

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 249-253 West 43rd Street, north side, 200 ft. east of Eighth Avenue (Block No. 1015, Lot Nos. 10 and 11) Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron, Rev. Alexander Ketterson, Bernard F. Stern, Robt. B. W. Elliott.

For Opposition: Edgar M. Souza, A. Taggard, Harold L. Garner, R. L. Kerby, Benjamin Gollay, George Norris, J. Klinger, Paul Rowan, H. R. Humphreys and Henry W. Kay, Troop A, Police Dept.

ACTION OF BOARD—Laid over to January 3, 1940, at 10 a.m., for consideration by the board. No further argument.

459-39-BZ.

APPLICANT—Lama and Proskauer, for Leon K. Rockmore, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more

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than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—505-509 Utica avenue, east side, 140 ft. north of Rutland road (Block No. 4591, Lot No. 51), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Leon K. Rockmore.

For Opposition: None.

ACTION OF BOARD—Laid over to January 3, 1940, at 10 a.m., for further consideration by the board. No further argument.

186-37-BZ.

APPLICANT—William Shary, for Aaron Rabinowitz, James L. Clare and Lawrence N. Martin, Trustees for Series F-1, owner (Reuben Nathan, lessee).

SUBJECT—Application reopened June 27, 1939, under new facts (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station and, also, the parking and storage of more than five (5) motor vehicles (previously denied re parking of more than five (5) motor vehicles).

PREMISES AFFECTED—709-719 Westchester avenue, 721-725 Forest avenue, northwest corner and 712-724 Jackson avenue (Block No. 2645, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: William Shary, Jerome G. Young, R. Nathan, Carl Propper and Edward S. Menoface.

For Opposition: Earl I. Gallant, Milton Dorf, Mrs. K. Somoggi, Sadie Green, Christine Schmerling, Mrs. Katherman, Barnet Feder, Julius Droisen, Saul M. Gaft and Raffaele Grassi.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(186-37-BZ)

WHEREAS, Henry Nordheim, for Trustees of Series F-1, owner, filed April 27, 1937, an application under the building zone resolution, to permit in a business use district, the parking of more than five motor vehicles; premises: 708-724 Jackson avenue, 711-729 Westchester avenue and 721-723 Forest avenue, northwest corner (Block No. 2645, Lot No. 5), Borough of The Bronx; and

WHEREAS, this application was denied by the Board October 13, 1937; and

WHEREAS, William Shary (Reuben Nathan, lessee), for Aaron Rabinowitz, James L. Clare and Lawrence N. Martin, Trustees for Series F-1, owner, requested a reopening of this application under Section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, and, also, the parking and storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board June 27, 1939; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 19, 1939, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Westchester avenue, Jackson avenue, Forest avenue and East 156th street are in business use districts; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 445-39, dated June 1, 1939, reads:

"1. The proposed erection of a gasoline service station and the parking and storage of more than five motor vehicles in a business district, is contrary to Section 4 of the building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 177 ft. on Westchester avenue, 47 ft. on Forest avenue and 148 ft. on Jackson avenue. It is proposed to erect upon the plot a one story office, 12 ft. by 14 ft. in area; to install, on the Westchester avenue front of the plot, the necessary tanks and pumps for a gasoline service station and, also, to occupy the remainder of the plot for parking and storage of more than five (5) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the Board reaffirmed its former decision as to parking and storage; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent on N.B. Applic. No. 445-39, dated June 1, 1939, be and it hereby is affirmed, and that the application be and it hereby is denied.

181-39-BZ.

APPLICANT—Joshua Hochstein, for Frances Landa and Fannie Hochstein, owners.

SUBJECT—Application reopened and restored to calendar October 10, 1939 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop, machine shop and garage for more than five (5) motor vehicles (previously dismissed for lack of prosecution).

PREMISES AFFECTED—45-37 to 35-55 50th (Fitting) street, east side, 400 ft. south of Queens boulevard (Block No. 2283, Lot No. 1), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Martin M. Rice and Louis F. Seedman.

For Opposition: Irvin Pakula, Alice Cranston, Margaret Martin, Minnie Montgomery, Martha Klenke, Bridget McBrie, Frank Kolze, Anna Di Martino and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4

THE RESOLUTION—

(181-39-BZ)

WHEREAS, Joshua Hochstein, for Frances Landa and Fannie Hochstein, owners, reopened October 10, 1939, an application (previously dismissed for lack of prosecution) under section 21 of the building zone resolution, to permit in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop, machine shop and garage for more than five (5) motor vehicles; premises: 45-37 to 45-55 50th (Fitting) street, east side, 400 ft. south of Queens boulevard (Block No. 2283, Lot No. 1), Woodside, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, December 19, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 50th street is in a residence

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and business use district; 51st street is in an unrestricted and business use district; Nelson avenue is in a residence and unrestricted use district; 49th street is in a residence use district and Queens boulevard is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated September 18, 1939, re Alt. Application No. 9140-39, reads:

"Proposed change of occupancy to an automobile repair shop, machine shop and garage for more than five cars in a residence district is contrary to Art. 2 Section 3 of the Building Zone Resolution."

and

WHEREAS, the existing building is fireproof, one story in height, with a frontage of 216 ft. on 50th street and 13 ft. on Nelson avenue, irregular. It is proposed to use the existing building as a motor vehicle repair shop, machine shop and garage for more than four motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the Borough Superintendent, re Alt. Application No. 9140-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

637-39-BZ.

APPLICANT—Gilbert Miles Ramsey, for Shell Oil Co., Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED — 63-56 Austin street and 91-39 63rd drive, southwest corner (Block No. 3103 (1897), Lot No. 43), Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Gilbert Miles Ramsey.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(637-39-BZ)

WHEREAS, Gilbert Miles Ramsey, for Shell Oil Co., Inc., owner, filed May 17, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station; premises: 63-56 Austin street and 91-39 63rd drive, southwest corner (Block No. 3103 (1897), Lot No. 43) Rego Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 19, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Austin street is in a residence, business and unrestricted use district; Alderton street is in a residence and business use district and 63rd drive is in a business use district; and

WHEREAS, the decision of the Borough Superintendent dated May 4, 1939, re Alt. Application No. 1100-1939, reads:

"The extension of a gasoline station in a business district is contrary to Article 2, section 4 of the zone law (not further considered)."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 80 ft. on 63rd drive and 95 ft. on Austin street, occupied as a gasoline service station. It is proposed to demolish the frame building on the site and to erect thereon, a one story building 42 ft. 2 in. by 26 ft. in area, to be used as office and lubritorium; it is proposed, further, to relocate the curb cuts and pumps; to remove the two open pits and to add one additional 550 gallon tank; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the existing legal gasoline station to be rearranged, substantially as indicated on plans filed herein, *on condition* that the existing accessory building and pumps shall be entirely removed and the new accessory building located toward the center of the plot, toward the south, as indicated; that the entire area shall be leveled substantially to the grade of the surrounding streets and shall be surfaced with cement, Colprovia or other similar impervious material; that there shall be erected on the interior lot lines, a substantial brick wall or wire fence not less than 6 feet in height; that curb cuts shall be restricted to two (2) from Austin street, 30 feet in width each and two (2) from 63d drive, not over 20 feet in width each; that no gasoline pumps shall be erected nearer than 15 feet to the street building line and such pumps shall be erected on the 63d drive side only; that the accessory building shall not exceed one story in height and shall be constructed of incombustible material, except that the roof beams and boarding, door frames and doors, window frames and sash may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals; that any heating room shall be constructed of fireproof material, separated from the balance of the building by fireproof material and enterable only from the exterior of the building; that there shall be no roof or temporary signs erected; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps, but permitting within the building line near the intersection of Austin street and 63d drive, a post standard, supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, which sign may be extended beyond the building line for a distance of not more than 4 feet; that such sign may extend both on 63d drive and on Austin street; that no use other than as herein permitted, shall be maintained on the premises; that there shall be no parking of cars other than those being serviced; that there shall be no automobile repairing permitted on the premises; that no portable gasoline pumps shall be used on or from the premises; that in the greasing section, the equipment shall be of the hydraulic type; that four (4) storage tanks for gasoline may be installed, as indicated on plans, that the sidewalk surrounding on 63d drive and Austin street shall be completely paved and the curbs maintained; that all permits required shall be obtained and all work involved, completed within one year from the date of this resolution.

657-39-BZ.

APPLICANT—Frank Verdi, for Henry A. Thelluson, Receiver (George and F. J. Verdi, lessees).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit in a residence use district and also, on a street between two (2) intersecting streets in which portion there exists an exit and an entrance to a public school,

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the conversion of occupancy of a building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—353-355 West 48th street, north side, 204 ft. east of Ninth avenue (Block No. 1039, Lot No. 9), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank Verdi, John Santora and Robert T. Lyons.

For Opposition: Benjamin Gollay, Robert Harrington and Anthony Wolfer.

For Administration: Charles Tilgner, Board of Education.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

THE RESOLUTION—

(657-39-BZ)

WHEREAS, Frank Verdi (George Verdi and F. J. Verdi, lessees), for Henry A. Thelluson, Receiver, filed May 19, 1939, an application under sections 7c and 21 of the building zone resolution, to permit in a residence use district and also, on a street between two intersecting streets, in which portion there exists an exit and an entrance to a public school, the conversion of occupancy of a building to a garage for more than five motor vehicles; premises 353-355 West 48th street, north side, 204 ft. east of Ninth avenue (Block No. 1039, Lot No. 9), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 19, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 48th street is in a residence and retail use district; West 49th street is in a residence and business use district; eighth avenue and Ninth avenue are in retail use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated May 1, 1939, reads:

"Your application for a certificate of occupancy dated April 26, 1939 for the use of the above premises as a garage for more than five motor vehicles has been denied for the reason that the premises are located in a residence district and in a portion of a street between two intersecting streets in which portion there exists an exit and entrance to a public school and this occupancy is contrary to Article 2, Section 3 and Article 5, section 21 of the Zone Resolution."

and

WHEREAS, the existing building is non-fireproof, six (6) stories in height, 46 ft. frontage by 94 ft. in depth; it is proposed to convert the occupancy of the existing building which is used as a garage for five motor vehicles to a garage for more than five motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed, that in view of the existence of the public school in the same portion of the street between the intersecting streets as the proposed garage for more than five motor vehicles, it is precluded under section 21, from granting the variance applied for.

Resolved, that the decision of the Borough Superintendent, dated May 1, 1939, be and it hereby is affirmed and that the application be and it hereby is denied.

767-39-BZ.

APPLICANT—Judson E. Schnall, for Estate of Benjamin Anchell and Philip Levison, owners (Thomas Kallenbach, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business

use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: Victor Maillard.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

THE RESOLUTION—

(767-39-BZ)

WHEREAS, Judson E. Schnall (Thomas Kallenbach, lessee), for Estate of Benjamin Anchell and Philip Levison, owners, filed June 9, 1939, an application under section 21 of the building zone resolution, to permit in a business use district, the alteration and conversion of occupancy of an existing building to a motor vehicle repair shop; premises: 335 St. Nicholas avenue, north side, 25.3 ft. west of Palmetto street (Block No. 3448, Lot No. 1), Ridgewood, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 19, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that St. Nicholas avenue and Palmetto street are in business and unrestricted use districts and Gates avenue is in a business, residence and unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated May 12, 1939, re Alt. Application No. 1002-39, reads:

"1. Proposed use of premises as an automobile repair shop in a business district is contrary to Sec. 4 of the Building Zone Resolution. Application not further considered."

and

WHEREAS, the existing building is of frame construction, one story in height, 21 ft. frontage by 50 ft. irregular in depth. It is proposed to alter the present frame building by the removal and relocation of walls as shown upon the filed plans and to convert the occupancy of the building from a store to a motor vehicle repair shop and, also, store; the present alley to be incorporated in the motor vehicle repair shop area; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the applicant or his representative was not present when this application was reached for hearing.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

1113-39-BZ.

APPLICANT—Frieda D. Waters, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles.

PREMISES AFFECTED—1913-1929 Bay avenue, north side, 106 ft. 3½ in. south of East 19th street (Block No. 6748, Lot No. 97 and part of Lot No. 92), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Waters and Irving Jackman,

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For Opposition: Joseph Melcer, Samuel Finney, Hannah Weisberger, Yetta Schoenbrun, Martha Pedell, Jerome M. Wanshel, Irene Bennett, Elizabeth Lowe, Natalie Drubich, Joseph A. Coloprite, Salvatore Brunnelta, Herman Fedes, R. Weintraub, Louis Schierer and Ben Merin.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

THE RESOLUTION—

(1113-39-BZ)

WHEREAS, Frieda D. Waters, owner, filed September 11, 1939, an application under section 21 of the building zone resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than three (3) motor vehicles; premises: 1913-1929 Bay avenue, north side, 106 ft. 35/8 in. east of East 19th street (Block No. 6748, Lot No. 97 and part of Lot No. 92), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 19, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bay avenue is in a residence use district; Ocean avenue and East 19th street are in residence and business use districts and Avenue M is in a business use district; and

WHEREAS, the decision of the Borough Superintendent, re Application No. 5204-39, dated August 7, 1939, reads:

"Proposed storage and parking of automobiles in a residence use district contrary to Art. 2, Sec. 3 of Building Zone Resolution. Therefore application disapproved."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 150 ft. and a depth of 100 ft. It is proposed to occupy the plot for a temporary period of not more than two years, for the parking and storage of more than three (3) motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board, prior to the hearing, so as to be informed as to conditions; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, re Application No. 5204-39, be and it hereby is affirmed, and that the application be and it hereby is denied.

1121-39-BZ.

APPLICANT—Lama and Proskauer, for Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—6001-6015 Church avenue. 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue (Block No. 4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Frank McCurdy, Herbert Rissier, Paul Friedman, Kingsley Smith and A. G. Patterson.

For Opposition: L. Kheel and A. Norowitz.

ACTION OF BOARD—Application granted and laid over to January 16, 1940, at 10 a.m., for conditions to be imposed.

THE VOTE TO GRANT—

Affirmative: Commissioners Savage and Blum and Assistant Chief Walsh 3
Negative 0
Not Voting: Chairman Murdock 1

THE RESOLUTION—

(1121-39-BZ)

WHEREAS, Lama and Proskauer for Annie Herzfeld, Lillian Klinghoffer and Clifford W. Wentz, owners, filed September 8, 1939, an application under section 21 of the Building Zone Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station; premises: 6001-6015 Church avenue, 538-562 Remsen avenue, northwest corner and 865-887 Ralph avenue (Block No. 4686, Lot Nos. 1, 5 and 6), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 19, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Church avenue and Ralph avenue are in business use districts and Remsen avenue is in a business and residence use district; and

WHEREAS, the premises consist of an irregular plot of ground having a frontage of 199 ft. on Ralph avenue, 206 ft. on Remsen avenue and 130 ft. on Church avenue. It is proposed to erect upon the plot a one story accessory building, 42 ft. by 41 ft. irregular in area and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant, had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under section 21 thereof, subject to such conditions as the Board may deem proper to impose after complete working drawings have been filed with the Board for further consideration and that such drawings shall be filed with the Board not later than January 12, 1940, for action by the Board on January 16, 1940, at 10 A.M.

1189-39-BZ.

APPLICANT—Samuels and Samuels, for William Jacobia and Albert Jacobia, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—136-05 32nd avenue and 31-51 Linden place, northeast corner (Block No. 4409, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: Michele Liscia and Rocco Caiculli.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Assistant Chief Walsh 2
Negative: Chairman Murdock and Commissioner Blum 2

THE RESOLUTION—

(1189-39-BZ)

WHEREAS, Samuels and Samuels, for William Jacobia and Albert Jacobia, owners, filed September 27, 1939, an application under Section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, affecting premises 136-05 32nd avenue and 31-51 Linden place, northeast

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corner (Block No. 4409, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 19, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompany the building zone resolution show that 31st road, 32nd avenue and Linden place are in business and unrestricted use districts and 137th street is in a residence and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, on N. B. Applic. No. 7337-39, dated September 25, 1939, reads:

"The erection of a gasoline service station in a business district is contrary to Art. 2, Section 4 "A", subdivision 46 of the Building Zone Resolution."

and
WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. on Linden place and 125 ft. on 32nd avenue. It is proposed to demolish the structures now on the site and to erect thereon an office and lubrication building 53 ft. by 25 ft. in area, and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the board; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on N.B. Applic. No. 7337-39, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1194-39-BZ.

APPLICANT—Worden H. Fenton, Director of Architecture, Department of Public Works, for City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a laundry which is accessory to a correctional institution.

PREMISES AFFECTED—North side of Riker's Island, opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx.

APPEARANCES—

For Applicant: Worden H. Fenton and Carl Hartzelius.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1194-39-BZ)

WHEREAS, Worden H. Fenton, Director of Architecture, Department of Public Works, for City of New York, owner, filed September 28, 1939, an application under sections 7a and 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a laundry which is accessory to a correctional institution; premises: North side of Riker's Island opposite Tiffany street (Block No. 2760, part of Lot No. 4), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 19, 1939, after due notice by publica-

tion in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that all of Rikers Island is zoned as residence use district; and

WHEREAS, the decision of the borough superintendent, N.B. Application No. 615-1939, dated August 29, 1939, reads:

"1. Proposed laundry accessory to a correctional institution is contrary to Section 3, including paragraph 5 of said section of the Building Zone Resolution."

and
WHEREAS, the proposed building is to be of fireproof construction, one story in height, 95 ft. frontage by 118 ft. in depth. It is proposed to occupy the building as a laundry accessory to City owned institutions on Rikers Island Penitentiary; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision A of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 7-A thereof, to permit the construction of the laundry building as proposed, *on condition* that all permits required shall be obtained and all work completed within one year from the date of this resolution.

1260-39-BZ.

APPLICANT—Thomas J. Curran, for South Brooklyn Savings Bank, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7c of the building zone resolution, to permit the extension of a proposed bank building from a business use district into a residence use district.

PREMISES AFFECTED — 6422-6424 18th avenue and 1771-1775 65th street, northwest corner (Block No. 5546, Lot Nos. 50, 53, 57 and 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas J. Curran, Dudley Soper and Mr. Weltz.

For Opposition: M. Robert Schwartz, Elias Wertheim, Louis Nucci, David Thomashefsky and Andrea Scofidi.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1260-39-BZ)

WHEREAS, Thomas J. Curran, for South Brooklyn Savings Bank, owner, filed October 13, 1939, an application under section 7c of the building zone resolution, to permit the extension of a proposed bank building from a business use into a residence use district; premises: 6422-6424 18th avenue and 1771-1775 65th street, northwest corner (Block No. 5546, Lot Nos. 50, 53, 57 and 58), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 19, 1939, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 18th avenue is in a business use district; 64th street and 65th street are in residence and business use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated September 21, 1939 re N. B. Application 2466-1939, reads:

"The erection of a business building extending into

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a residence use district is prohibited by Art. II, Section 3 of the Building Zone Resolution. Application denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 40 ft. on 18th avenue, 148 ft. 9 in. on 65th street and a distance of 100 ft. along the northerly lot line. Upon the southeasterly portion of the plot there is a two story bank building (40 ft. by 88 ft. 9 in. in area), which is to be demolished; upon the westerly portion of the plot there are two 2 story dwellings, which are to be demolished; upon the rear of the lot, abutting (to the west) the existing bank building, there is located a one story extension to the building located on Lot No. 50 (premises 6416 18th avenue); it is proposed to demolish this extension. It is proposed to erect upon the plot in question, a bank building having a frontage of 40 ft. on 18th avenue and 131 ft. 7 in. on 65th street. The proposed bank building extends (along the street front) a distance of 31 ft. 7 in. into the residence use district and the remainder of the building is in a business use district; and

WHEREAS, the site under appeal and the surrounding premises were inspected by a committee of the board; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted, to permit the extension of the business use in the residential area, substantially as indicated on plans filed herein on condition that in the residence use area, the portion of the building constructed in the rear yard shall not be more than 18 feet above curb and that the side yard of the widths shown, namely 17 feet on 65th street and 10 feet toward the rear, shall be maintained at all times unbuilt upon; that this side yard, except for a necessary walk, shall be suitably landscaped at all times; that no windows to toilets or vestibules to toilets shall open upon the side yard; that no signs shall be erected in the portion of the building within the residential district, except the main sign attached to the facade of the building near the parapet along 65th street, as indicated on plans filed herein; that the building shall not be increased in height or area; that all permits required shall be obtained and all work involved, completed within one year from the date of this resolution.

Adjourned, 4:30 P.M.

Joseph J. Doyle, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 19, 1939

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

736-38-BZ.

APPLICANT—Rockefeller Plaza, Inc., lessee (The Trustees of Columbia University in the City of New York, owner).

SUBJECT—Application reopened November 28, 1939, for consideration re amendment of resolution (decision of the borough superintendent of buildings) to permit in a retail use district, the installation of a gasoline dispensing system, with sale of gasoline to patrons and to service cars with oil and lubrication, in a garage (permission to erect which was granted by the board under section 7g of the building zone resolution), on the 48th street side of building.

PREMISES AFFECTED—25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry M. Schley.

For Opposition: None.

ACTION OF BOARD—Laid over to January 3, 1940, at 2 p.m., for further consideration by the board.

150-38-BZ.

APPLICANT—William Shary, for Estate of Patrick H. McNulty, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar, having been previously withdrawn—re Application (decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, on a plot, a part of which is now occupied as a gasoline service station, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4275-4295 Broadway, west side, 182 ft. 1¼ in. north of West 181st street (Block No. 2180, Lot No. 95), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened and restored to calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

971-27-BZ.

APPLICANT—Assets Funding Corporation, lessee and George W. Perkins and Dorothy P. Freedman, owners.

SUBJECT—Application reopened November 14, 1939 re amendment of resolution as to additional use as automobile repair shop—re Application previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 270 Dyckman street, south side, 488.11 ft. west of Broadway (Block No. 2246, Lot No. 43), Borough of Manhattan.

APPEARANCES—

For Applicant: Alex Krantz, Henry Fredericks, Stanley M. Moffat and Richard Kulze.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Walsh 4
Negative 0

THE RESOLUTION—

(971-27-BZ)

WHEREAS, Henry N. Steinert, for Evelina S. Perkins, owner, filed, September 2, 1927, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five motor vehicles; premises 270 Dyckman street, south side, 488.11 ft. west of Broadway (Block No. 2246, Lot No. 43), Borough of Manhattan; and

WHEREAS, this application was granted by the Board December 6, 1927 on certain conditions, plans approved February 7, 1928; and

WHEREAS, the owner requests an amendment of the resolution.

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Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of December 6, 1927, as amended by approval of plans February 7, 1928, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the building shall be constructed fire-proof and shall be restricted in height to a two-story building above grade; that the exterior of the walls on Dyckman street and Payson avenue shall be finished with face brick with architectural terra cotta or stone trimmings; that no roof sign shall be erected; that any advertising shall be restricted to the Dyckman street front and shall be confined to the plate glass show windows of store fronts and not more than one electric projecting sign, indicating the title of business conducted thereon; that any gasoline storage equipment installed shall be located at the westerly end of property on the Dyckman street front."

Resolved further, that a space on the top or 2nd floor at the corner of Dyckman street and Payson avenue, consisting of not more than two bays may be used for motor vehicle repairing, on condition that such work shall be entirely by hand tools, except that there may be a machine for adjusting and relining brakes, provided that in all other respects, the resolution adopted by the Board shall be complied with and that all signs existing on the exterior of the building shall be removed, other than those permitted by the resolution of the Board.

68-36-BZ.

APPLICANT—Lama and Proskauer, for Joseph P. Day, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings), under section 21 of the building zone resolution, permitting in a residence use "C" area district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the omission of the required rear yard.

PREMISES AFFECTED — 40-48 Brighton 11th street (Hoff street), west side, 314 ft. 11 in. south of Neptune avenue (Block No. 7516, Lot No. 2386), Borough of Brooklyn.

APPEARANCES—

For Applicant: Ralph Proskauer.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0

THE RESOLUTION—

(68-36-BZ)

WHEREAS, this application affecting premises 40-48 Brighton 11th street (Hoff street), west side, 314 ft. 11 in. south of Neptune avenue (Block No. 7516, Lot No. 2386), Borough of Brooklyn, was granted by the board June 2, 1936, on certain conditions, time extended June 2, 1937 and May 24, 1938 and applicant requests a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the board on June 2, 1936, only so far as it has reference to the completion of work, so that as amended this portion of resolution shall read:

"In view of statement of applicant, that all permits have been obtained, all work shall be completed within one year from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS

1177-39-A.

APPLICANT — Joshua Brown, for 60-19 Roosevelt Avenue Corporation, owner (Paprin's Restaurant and others, lessee).

SUBJECT—Application reopened and restored to calendar November 14, 1939, re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—60-19 to 60-21 Roosevelt Avenue, northeast corner of 60th street (Block No. 1229, Lot No. 122), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Joshua Brown and Jacob Kalina.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Laid over to January 9, 1940, at 2 p.m., for inspection by a committee of the board. No further argument.

1297-39-A.

APPLICANT—Israel H. Perskin, for Mabel C. Wielandt, owner (June Lee Day, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—176 East 19th street, west side, 150 ft. north of Beverly road (Block No. 5122, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Gertrude Eisenberg.

For Administration: Benjamin Saltzman, dept. of housing and buildings.

ACTION OF BOARD—Laid over to January 9, 1940, at 2 p.m., for inspection by a committee of board and on request of appellant's representative.

1430-39-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—130 Amity street, south side, 217 ft. east of Henry street (Block No. 296, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Benjamin Saltzman, dept. of housing and buildings.

ACTION OF BOARD—Laid over to January 9, 1940, at 2 p.m., for further consideration by the board.

1433-39-A.

APPLICANT—Five Boroughs Renting Service, Inc., for Sunlin Holding Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 32-42 and 32-52 33rd street, west side from 400 ft. to 600 ft. south of Broadway (Block No. 612, Lot Nos. 53 and 57), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Emil Levin.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Laid over to January 3, 1940, at 2 p.m., for further consideration, after obtaining determination from the building department.

1445-39-A.

APPLICANT—Arthur F. Crowley, for George Vendegna, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

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PREMISES AFFECTED — 47-46 11th street, northwest corner of 48th avenue (Block No. 45, Lot No. 22), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Arthur F. Crowley.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Laid over to January 9, 1940, at 2 p.m., for inspection by a committee of the board.

1453-39-A.

APPLICANT—William W. Knowles, for Benjamin H. Sweet, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—165-18 South road, south side, 110.65 ft. east of 165th street (Block No. 10164, Lot No. 46), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Jacob H. Zamore.

ACTION OF BOARD—Laid over to January 3, 1940, at 2 p.m., on request of applicant's representative.

1461-39-A.

APPLICANT — Elizabeth A. Lindorff, for Margaretha Kirpal, owner.

SUBJECT—Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—143-49 Barclay avenue, north side, 100 ft. northwest of Parsons boulevard (Block No. 885, Lot No. 37), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Marie P. Simmons.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Laid over to January 9, 1940, at 2 p.m., for inspection by a committee of the board. No further argument.

1184-39-A.

APPLICANT—Slee and Bryson, for Ridgelawn Homes, Inc., owners.

SUBJECT—Appeal from decisions of the borough superintendent of buildings (under Section 36, General City Law, re building fronting on a proposed private street).

PREMISES AFFECTED—North side of 101st street, 140 ft. west of Fort Hamilton parkway, 1-15 Jackson court and 2-12 Jackson court (Block No. 6138, part of Lot Nos. 31 and 34), Borough of Brooklyn.

APPEARANCES—

For Applicant: John B. Slee and C. E. Blomberg.

For Administration: Benjamin Saltzman, dept. of housing and buildings.

ACTION OF BOARD—Appeal dismissed as being improperly before the board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1184-39-A)

WHEREAS, Slee and Bryson, for Ridgelawn Homes, Inc., owner, filed September 27, 1939, an appeal from decisions of the acting borough superintendent of building, affecting premises 1-15 Jackson court, east side, 70 ft. north of 101st street and 2-12 Jackson court, west side, 100 ft. north of 101st street (Block No. 6138, part of Lots No. 31 and 34), Borough of Brooklyn, pursuant to Section 36 of the General City Law, relating to the erection of buildings fronting on a street which is not on the City map; and

WHEREAS, the decision of the acting borough superintendent, on N.B. Applic. No. 2179-39, relating to 1 Jackson court, dated September 18, 1939, reads:

"1. Building may not be erected, fronting only on proposed private street, unless street layout is approved and placed on city plan. Section 36, General City Law. Application is hereby denied."

and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 2850-39, relating to 2-12 and 3-15 Jackson court, dated October 27, 1939, reads:

"1. Buildings may not be erected, fronting only on proposed private street, unless street layout is approved and placed on city map. Section 36, General City Law."

and

WHEREAS, the premises consist of a plot 110 ft. fronting on the east side of Jackson court, with a depth of 70 ft., upon which it is proposed to erect seven (7) two-story and basement, Class 3 buildings, 28 ft. 6 in. in height, 18 and 20 ft. by 43 ft. in area, to be occupied as one-family dwellings and a plot 100 ft. by 77 ft. 6 in. and 82 ft. 6 in. in area, upon which it is proposed to erect six (6) one-story and basement, Class 3 buildings, 28 ft. 6 in. in height, 16 ft. 8 in. by 43 ft. in area, each to be occupied as one-family dwellings with garage in basement located in a residence use, "C" area district; and

Whereas, the applicant contends that the premises in question is a portion of a larger plot fronting 211 ft. on 101st street and 200 ft. on Ft. Hamilton parkway; that the southeasterly portion of the property has been developed with similar buildings to those proposed; that the proposed street will be 40 ft. wide; that the City Planning Commission requires that in order to place same on the City map its width should be at least 50 ft.; that although the entire property forms a corner lot, it is of excessive depth and irregular shape, so that in order to plan the practical number of one family dwellings to insure income and tax value, it is necessary to build the proposed private street into the property for access to the two (2) inner groups of buildings and to limit the width of the proposed private street to 40 ft.; that the roadway width of the proposed street will be only 2 ft. less than the roadway width of 101st street, which will provide access to the proposed private street; that the cost of constructing Jackson court and installing the necessary utilities therein will be borne entirely by the owner of the premises in question; and

WHEREAS, in the opinion of the Board a subdivision plan should be filed with the City Planning Commission.

Resolved, that the appeal be and it hereby is dismissed as not being properly before the Board.

1292-39-A.

APPLICANT—G. M. Co. Manufacturing Co., Inc., owner.

SUBJECT—Appeal from decisions re an order of the fire commissioner.

PREMISES AFFECTED—43-10 21st street, southwest corner of 43rd avenue (Block No. 442, Lot No. 18), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Andrew J. Graham.

For Administration: Thomas Larkin, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1292-39-A)

WHEREAS, G. M. Co. Manufacturing Co., Inc., owner, filed on October 16, 1939, an appeal from decisions re an order of the Fire Commissioner, affecting premises 43-10 21st street, southwest corner 43rd avenue (Block No. 442, Lot No. 18), Long Island City, Borough of Queens; and

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WHEREAS, Order No. 3148-LF, issued by the Fire Commissioner August 21, 1939, reads:

"1. Install an approved standpipe system in accordance with Article 17, Chapter 26, Administrative Code, or comply with Resolution Board of Standards and Appeals, Calendar 275-26-A."

and

WHEREAS, the said order was repeated in decisions of the Fire Commissioner dated September 6, 1939 and September 14, 1939; and

WHEREAS, the building is one story (16 ft.) in height, 230 ft. by 95 ft. in area; of Class I construction; located in an unrestricted use district; erected in 1919 and occupied since October 1, 1938, by a manufacturer of automobile accessories, 85 persons; and

WHEREAS, the applicant contends that the installation of a standpipe system is not necessary and would cause an extreme hardship to the owner and that the small amount of paint stored on the premises is located in the yard apart from the building.

Resolved, that the Board of Standards and Appeals does hereby reaffirm its resolution adopted under Cal. No. 275-26-A and that the order of the Fire Commissioner, No. 3148-LF be and it hereby is *modified* and that appeal be and it hereby is *granted*, so as to permit the proposed change of use, *on condition* that the requirements of the resolution adopted by the Board under Cal. No. 275-26-A on June 29, 1926, be complied with in all respects.

1344-39-A.

APPLICANT—Ullman Manufacturing Company (lessee), for Boerum Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—319-327 McKibbin street, north side, 120 ft. west of White street and 318-326 Boerum street (Block No. 3083, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jerome Ullman.

For Administration: Inspector Meyer, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1344-39-A)

WHEREAS, Ullman Manufacturing Company (lessee), for Boerum Realty Corporation, owner, filed November 1, 1939, an appeal from an order and a decision of the fire commissioner, affecting premises 319-327 McKibbin street, north side, 120 ft. west of White street and 318-326 Boerum street (Block No. 3083, Lot No. 11), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 78762-LC, dated March 10, 1939, reads:

"You are hereby notified that an inspection of the above premises, used to store Salvadol, etc., shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

1. Provide an approved storage system for the storage of Salvadol No. 4. Plans and specifications to be filed with and approved by Division of Buildings, before the work of installing the storage tank is commenced. The tank to be tested and the installation supervised by a representative of Division of Combustibles, Fire Department."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated October 25, 1939; and

WHEREAS, the building is five stories (65 ft.) in height, 100 ft. by 200 ft. in area, of class 1, class 3 and class 6

construction, equipped with a standpipe and a sprinkler system, erected in 1929 and 1930, located in an unrestricted use district and occupied: Cellar—woodworking mill—100 persons; 1st floor—printing—100 persons; 2nd floor—clothing manufacturing—100 persons; 3rd floor—toy manufacturing—100 persons; 4th floor—clothing manufacturing—100 persons, for which certificate of occupancy No. 59451 was issued on January 31, 1930; and

WHEREAS, the applicant contends that one sealed drum containing 55 gallons of Salvadol No. 4 is stored in a fireproof vault, as shown on plans filed with this appeal; that the use of this solvent is necessary for the conduct of the applicant's business; that not more than 5 gallons of the solvent will be kept inside the building and then in an approved can; that the method of storage is non-hazardous and that similar relief was granted by the Board to another tenant under Cal. No. 602-38-A.

Resolved, that the order of the Fire Commissioner, No. 78762-LC be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the amount of Salvadol No. 4 stored on the premises shall not exceed at any time one 55-gallon drum; that such drum shall be maintained in a fireproof vault outside the building, as proposed, fitted with an approved hand pump; that such quantities of Salvadol as are necessary for the manufacturing process shall be taken into the building in an approved safety can not exceeding 5-gallon capacity; and that such additional portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct.

1427-39-A.

APPLICANT—Archibald D. Anstey, for Mutual Life Insurance Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—168-170 East 116th street, south side, 181 ft. 8 in. east of Lexington avenue (Block No. 1643, part of Lot No. 44), Borough of Manhattan.

APPEARANCES—

For Applicant: Otto L. Kelm.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1427-39-A)

WHEREAS, Archibald D. Anstey, for Mutual Life Insurance Company, owner, filed November 21, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 168-170 East 116th street, south side, 181 ft. 8 in. east of Lexington avenue (Block No. 1643, part of Lot No. 44), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 2945-39, dated October 27, 1939, reads:

"3. Building must be of fireproof construction. Sec. 4.2.1 BC. Reconsideration is denied.

6. The required stairway should lead in a continuous enclosure to the street level. Sec. 6.4.1.11' k Building Code. Reconsideration denied.

8. Fire escape as shown may not be considered as a lawful 2nd means of egress. Reconsideration postponed. Sec. 6.1.2.2.3-3a Building Code."

and

WHEREAS, the building is 3 stories and cellar (40 ft.) in height, 31 ft. 8 in. by 90 ft. in area at 1st floor, 31 ft. 8 in. by 80 ft. above, of non-fireproof construction, erected in 1895, located in a business use district, altered in 1921 and occupied: Cellar: storage—no persons; 1st floor:

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stores—75 persons; 2nd floor: club—30 persons; 3rd floor: club—30 persons; proposed occupancy: Cellar—same; 1st floor: stores—70 persons; 2nd floor: club—60 persons; 3rd floor: club—60 persons; and

WHEREAS, the applicant contends, as to Objection No. 3 that the property was acquired by the present owner in 1933. As there were no violations pending, the owner was of the opinion that the property was legally occupied and continued the present occupancy to its present date and that when it was discovered that certificate of occupancy No. 7740, issued on alteration No. 543/21 did not cover the present occupancy, the present alteration application was filed to secure a new certificate of occupancy; that there is no demand for a combination office and factory building in this neighborhood and it would entail a hardship for the owner to vacate the present use in order to comply with the existing certificate of occupancy for factory and office use above the first floor; as to Objection No. 6, the stair in question empties into a vestibule, which goes across to the store on the west side of the building; as to Objection No. 8, there is a fire escape balcony at the rear and it is proposed to install stairs connecting the lower balcony to the upper balcony so that egress could be had through the neighboring building, which is owned by the same owner, or in lieu thereof, to install a new 4 ft. 45 degree fire escape at the front of the building with counterbalanced stairway to the sidewalk; that the area of the 2nd floor is approximately 2128 sq. ft. and the 3rd floor 1776 sq. ft., which would permit an occupancy of 213 persons on the 2nd floor and 177 persons on the 3rd floor, under section 6.1.2.3-1a; that the stair from the 1st floor to the 2nd floor is good for 40 persons and the stair from the 2nd to 3rd floor is good for 30 persons; that an occupancy of 150 persons per floor or a total of 300 persons above the 1st floor is requested in view of the proposed installation of the 45 degree fire escape.

Resolved, that the decision of the acting borough superintendent on Alt. Applic. No. 2945-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objections Nos. 3, 6 and 8, *on condition* that the building shall not be increased in height or area; that the existing stairway shall be maintained continuously from roof to street; that the door leading from vestibule into the store at the foot of such stairway shall be glazed with wire glass; that a fire escape on the front shall be erected to provide a second means of exit; that in the rear, ladders shall be erected from each story to the 1st floor extension, with a ladder provided on the 1st story extension roof, of sufficient length to reach the yard of the lot now vacant at the west; that the balconies shall be cross-connected to balconies of adjoining building to the east, so as to permit escape through such building to the street; that the occupancy per floor shall at no time exceed 100 persons; that the ceilings below the offsets on each story shall be fire-retarded; that this modification shall continue only so long as the conditions set forth in this resolution are maintained.

1432-39-A.

APPLICANT—Sarah Neufeld (lessee), for Frank J. Wilton and Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—429-433 East 164th street, north side, 120 ft. East of Brook avenue (Block No. 2386, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Abe Neufeld and Sarah Neufeld.

For Administration: Inspector Meyer, fire dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1432-39-A)

WHEREAS, Sarah Neufeld (lessee), for Frank J. Wilton

and Company, owner, filed November 20, 1939, an appeal from an order of the fire commissioner, affecting premises 429-433 East 164th street, north side, 120 ft. east of Brook avenue (Block No. 2386, Lot No. 5), Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, No. 19304-LC, dated October 17, 1939, reads:

"With reference to your application dated September 25th, 1939, for a permit to store empty wooden packing boxes, at above location, I regret to inform you that this department is without power to grant such a permit for the reason:

That, the Administrative Code, C-19-150.O-B-1 Art. 26 prohibits such storage in any building the walls of which are not built of fireproof material.

YOU ARE THEREFORE, HEREBY, ADVISED TO:

1. Discontinue the storage of empty wooden packing boxes on these premises in a quantity occupying a space greater than 2,000 cubic feet. Sec. C-19-150.O-A, Art. 26, New York City Administrative Code."

and

WHEREAS, the building is one story (15 ft.) in height, 70 ft. by 37 ft. in area, of Class 4 construction, located in an unrestricted use district, erected in 1887 and occupied for the last two years for the sale and storage of wood packing boxes—2 persons; and

WHEREAS, the applicant contends that less than 2,000 cubic feet of packing boxes are stored except on unusual occasions; that the nature of the business is such that it could not support high rents; that the applicant is willing to make any alterations within her means which will satisfy the department.

Resolved, that the order of the Fire Commissioner, No. 19304-LC be and it hereby is *modified* and that the appeal be and it hereby is *granted* for a period of six months from the date of this resolution, *on condition* that such fire-fighting appliances shall be installed as the Fire Commissioner shall direct.

1440-39-A.

APPLICANT—Morris Whinston, for 1806-1808 Third Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1806-1808 Third avenue, west side, 50 ft. 11 in. north of East 100th street (Block No. 1628, Lot Nos. 35-36), Borough of Manhattan.

APPEARANCES—

For Applicant: Morris Whinston.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1440-39-A)

WHEREAS, Morris Whinston, for 1806-1808 Third Avenue Corporation, owner, filed November 22, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises: 1806-1808 Third avenue, west-side, 50 ft. 11 in. north of East 100th street, (Block No. 1628, Lot Nos. 35 and 36) Borough of Manhattan; and

WHEREAS, the decision of the acting Borough Superintendent, dated November 24, 1939 on P. D. Application No. 2211-39, reads:

"No. 5. Present 6 inch standard cast iron house drain and its branches must be replaced with extra heavy cast iron pipe in compliance with Art. 14-2-6 and 14-3-13."

and

WHEREAS, the buildings are 5 stories (50 ft.) in height,

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25 ft. by 80 ft. in area, each of Class 3 construction, located in a business use district, erected about 1880; Occupied: Cellar, storage, no persons; 1st floor, store, 10 persons; 2nd, 3rd, 4th, and 5th floors, dwelling, 2 families each floor; and

WHEREAS, the applicant contends that the size of the present house drain is 1 inch larger than that required under the new building code and 2 inches larger than that required under the old building code; that this house drain is standard cast iron pipe and is in good condition.

Resolved, that the decision of the acting Borough Superintendent on P. D. Applic. No. 2211-39 be and it hereby is modified and that the appeal be and it hereby is granted, as to Objection No. 5, so as to permit the existing 6-inch standard weight cast iron house drains, on condition that same are in a sanitary and safe condition; and that in all other respects the plumbing requirements are complied with.

1456-39-A.

APPLICANT—Harold Klorfein, for Department of Parks, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — North side of Cross Island parkway, 620 ft. west of Douglaston parkway (Block No. 7720, Lot No. 100), Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Harold Klorfein and A. Marinelli.
For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1456-39-A)

WHEREAS, Harold Klorfein, for Department of Parks, City of New York, owner, filed November 29, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises north side of Cross Island parkway, 620 ft. west of Douglaston parkway (Block No. 7720, Lot No. 100), Douglaston, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 8383-39, dated November 2, 1939, reads:

"2. The maximum capacity of a gasoline storage tank at a gasoline selling station may not exceed 550 gallons. C19-69.0 Administrative Code.

3. Vent pipes of gasoline tanks shall terminate at least 10 ft. above the roof and 10 ft. from any exposure and shall be equipped with a double goose-neck and fire screen. C19-59.0 subd. N, Administrative Code."

and

WHEREAS, the premises in question are part of Alley Pond Park. It is proposed to erect a one story, class 3 building, 20 ft. in height, 85 ft. 4 in. by 29 ft. 8 in. in area, to be occupied as toilets, boiler room, storage room and display room in connection with the gasoline selling station to be operated on the premises; and

WHEREAS, the applicant contends that the size of the tanks proposed is more desirable, since it eliminates considerable connecting, piping and fittings, thereby decreasing the number of possible leaks and thus minimizing the fire hazard; that since this gasoline station is on a parkway, it is believed desirable as a matter of esthetic consideration, to eliminate a projecting vent pipe and to use instead a Riesner Vent Brick as approved by the Board of Standards and Appeals as Calendar No. 15-36-SA.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 8383-39, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that the maximum capacity of each gasoline storage tank shall not exceed 1500 gallons and that not

more than five (5) such tanks shall be installed in two (2) groups, three (3) in one group and two (2) in one group, with a distance between groups of not less than 20 ft.; that the construction of the tanks shall meet the requirements of the Oil Burner Rules of the Board of Standards and Appeals as to thickness of metal and construction of the tanks; that in all other respects, the installation shall meet the requirements of the Administrative Code for gasoline tanks; and denied as to Objection No. 3, as to the proposed use of the double gooseneck and fire screen, without prejudice to the applicant furnishing a design of the building showing the proposed location, for further consideration.

1457-39-A.

APPLICANT—Harold Klorfein for Department of Parks, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — West side of Cross Island parkway, 250 ft. north of West Alley road (Block No. 7720, Lot No. 1), Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Harold Klorfein and A. Marinelli.
For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1457-39-A)

WHEREAS, Harold Klorfein, for Department of Parks, City of New York, owner, filed November 29, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises west side of Cross Island parkway, 250 ft. north of West Alley road (Block No. 7720, Lot No. 1), Douglaston, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 8384-39, dated November 2, 1939, reads:

"2. The maximum capacity of a gasoline storage tank at a gasoline selling station may not exceed 550 gallons. C19-69.0 Administrative Code.

3. Vent pipes of gasoline tanks shall terminate at least 10 ft. above roof and 10 ft. from any exposure and shall be equipped with double goose-neck and fire screen. C19-59.0, subd. N, Administrative Code."

and

WHEREAS, the premises in question are located in Alley Pond Park. It is proposed to erect a one story building (16 ft.) in height, 40 ft. 8 in. by 22 ft. 8 in. in area, of class 3 construction, to be used as toilets, storage room, boiler room and display room in connection with the gasoline selling station on the premises; and

WHEREAS, the applicant contends that the size of the tanks proposed is more desirable, since it eliminates considerable connecting, piping and fittings, thereby decreasing the number of possible leaks and thus minimizing the fire hazard; that since this gasoline station is on a parkway, it is believed desirable as a matter of esthetic consideration, to eliminate a projecting vent pipe and to use instead a Riesner Vent Brick as approved by the Board of Standards and Appeals as Calendar No. 15-36-SA.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 8384-39, be and it hereby is modified, and that the appeal be and it hereby is granted on condition that the maximum capacity of each gasoline storage tank shall not exceed 1500 gallons and that not more than five (5) such tanks shall be installed in two (2) groups, three (3) in one group and two (2) in one group, with a distance between groups of not less than 20 ft; that the construc-

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tion of the tanks shall meet the requirements of the Oil Burner Rules of the Board of Standards and Appeals as to thickness of metal and construction of the tanks; that in all other respects, the installation shall meet the requirements of the Administrative Code for gasoline tanks; and *demed* as to Objection No. 3, as to the proposed use of the double gooseneck and fire screen, without prejudice to the applicant furnishing a design of the building showing the proposed location, for further consideration.

1476-39-A.

APPLICANT—John B. Reschke, for Wetzel Estate, owner (George Riggie, lessee).

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED — 120-87 Queens boulevard, northwest corner of 82nd avenue (Block No. 2274, Lot No. 74), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: John B. Reschke.

For Administration: Joseph Ferro, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1476-39-A)

WHEREAS, John B. Reschke (George Riggie, lessee), for Wetzel Estate, owner, filed December 4, 1939, an appeal from a decision of the borough superintendent of buildings, affecting premises 120-87 Queens boulevard, northwest corner of 82nd avenue (Block No. 2274, Lot No. 74), Kew Gardens, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N.B. Applic. No. 8757-39, dated November 10, 1939, reads:

"The construction of a frame building in the fire limits is contrary to section 4.1.2. of the Building Code." and

WHEREAS, the premises consist of a plot 167 ft. by 96 ft. in area, located in a business use district, upon which it is proposed to erect a one story, class 4 building, 12 ft. in height, 50 ft. by 14 ft. in area, to be occupied as a dining car; and

WHEREAS, the applicant contends that this dining car and an extension, consists of a steel sheathed wagon, which formerly stood at the junction of Laurel Hill boulevard and Penny Bridge; that when the bridge was closed to traffic, the street became a dead end, with the result that the dining car was forced to close; that the lessee is now in possession of a plot of ground fronting on Queens boulevard, which he wishes to use and to locate the dining car thereon; that there is an existing structure on the plot, used as a caddy house, built of 2 by 4 studs, sheathed with stamped metal; that it is proposed to cover the interior with wire lath and plaster and to use the structure as a dining room in connection with the proposed dining car; and

WHEREAS, a committee of the board inspected the buildings and area and recommended that the appeal should be granted for a temporary period.

Resolved, that the decision of the borough superintendent of buildings, as to N.B. Application 8757-39, be and it hereby is *modified* and that the appeal be and it hereby is *granted* for a temporary period of two years, *on condition* that in all other respects, the construction and occupancy comply with all laws, rules and regulations applicable thereto and that such portable fire fighting appliances be installed as the fire commissioner shall direct.

1489-39-A.

APPLICANT—J. L. Murphy, Inc., for New York Life Insurance Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1482-1490 Broadway and 146 West 43rd street, southeast corner (Block No. 995, Lot No. 57), Borough of Manhattan.

APPEARANCES—

For Applicant: William J. Murphy and Maurice Loewy.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

Negative

THE RESOLUTION—

(1489-39-A)

WHEREAS, J. L. Murphy, Inc., for New York Life Insurance Co., owner, filed December 8, 1939, an appeal from a decision of the Borough Superintendent of Buildings affecting premises 1482-1490 Broadway, and 146 West 43rd street, southeast corner (Block No. 995 Lot No. 57), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent dated November 21, 1939 on N.B. Application No. 18-39, reads:

"30. Provide standpipes for Building as per 12.17.2 and 16.1.1 Building Code." and

WHEREAS, the building is 2 stories (36 ft.) in height, 104 ft. 2¾ in. by 193 ft. 9½ in., irregular in area, of Class 1 construction, located in a retail use district, to be occupied: Sub-cellar, building service and storage—2 persons; (Cellar, restaurant, 320 persons; first floor, 600 seat motion picture theatre and retail stores with occupancy of 320 persons; Total, 920 persons on the 1st floor; 2nd floor, office, 56 persons; and

WHEREAS, the applicant contends that the entire building will be of Class 1 construction; that the motion picture theatre will be separate from the front portion; that the objection of the Borough Superintendent requires a separate standpipe system for the auditorium and a separate standpipe system for the front portion; that it is proposed to install three 2½ gallon hand fire-extinguishers in the auditorium and one in the accommodation quarters of the theatre and one 2½ gallon hand fire extinguisher for each 2,500 square feet of floor area and one 40-gallon portable chemical extinguisher for each 10,000 square feet of floor area on the front portion; that this condition comes under the provisions of Section C-26-1381.0 Paragraph B-2 of the Administrative Code, since building will not exceed 2 stories in height.

Resolved, that the decision of the Borough Superintendent on N.B. Applic. No. 18-39 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 30, *on condition* that the building shall be constructed as proposed and that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; that in all other respects the requirements of all laws, rules and regulations applicable to the building and occupancy shall be complied with and that the motion picture theatre shall be separated by fireproof construction from all other parts of the building.

1494-39-A.

APPLICANT—Voorhees, Walker, Foley and Smith, for Emigrant Industrial Savings Bank, owner.

SUBJECT—Appeal from decisions of the acting borough superintendent of buildings.

PREMISES AFFECTED—60-74 Gansevoort street and 809-813 Washington street, southeast corner (Block No. 643, Lot Nos. 41-48 inclusive), Borough of Manhattan.

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APPEARANCES—

For Applicant: M. H. Foley and Thomas Christiano.

For Administration: Fred Dahlem, department of housing and buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(1494-39-A)

WHEREAS, Voorhees, Walker, Foley and Smith, for Emigrant Industrial Savings Bank, owner, filed December 12, 1939, an appeal from the decisions of the acting borough superintendent affecting premises 60-74 Gansevoort street and 809-813 Washington street, southeast corner (Block No. 643, Lot Nos. 41-48 inclusive), Borough of Manhattan; and

WHEREAS, the decisions of the acting borough superintendent on Alteration Application Nos. 3384 to 3389-39 read:

"2. The construction of a marquee is permissible only in structures of an essentially public nature. Sec. 2.4.1.48-g, 1, Building Code."

and

WHEREAS, the premises consist of eight buildings 5 stories in height, with a total frontage of 201 ft. 6¾ in. and a depth of 72 ft. 3½ in. and 87 ft., of Class 3 construction, located in an unrestricted use district, erected in 1879 and presently occupied: cellar, storage; first floor, market; 2, 3, 4 and 5 floors, multiple dwellings. It is proposed to demolish the upper stories and occupy the building: cellar, storage; first floor, markets; 2nd floor, offices; and

WHEREAS, applicant contends that the proposed marquee will be built above the sidewalk in front of the markets along Gansevoort street; that the entire section is used for provisions and produce markets; that there are marquees existing on the buildings in question as well as on many other buildings on the same street and throughout the area; that the proposed marquee is essential to the operation of the markets, as it affords protection to the trucks as they are loaded and unloaded at the curb.

Resolved, that the decisions of the acting borough superintendent, on Alt. Applic. Nos. 3384 to 3389-39, inclusive, be and they hereby are *modified*, and that the appeal be and it hereby is *granted* in connection with the objections as to construction of the proposed marquee and to permit the construction of the marquee on Gansevoort street, *on condition* that the buildings be reconstructed as proposed, into two story business buildings and that the stores along Gansevoort street shall be of the market type and that in all other respects the buildings and occupancy shall comply with all laws, rules and regulations applicable thereto.

454-32-A.

APPLICANT—Hentie Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—22-32 East 16th street (Buckingham road), west side, 172 ft. 8¼ in. south of Caton avenue (Block No. 5076, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: W. Willimin and Ettie Schacht.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—

(454-32-A)

WHEREAS, this appeal, affecting premises 22-32 East 16th street (Buckingham road), west side, 172 ft. 8¼ in. south of Caton avenue (Block No. 5076, Lot No. 14), Borough of Brooklyn, was denied, as to the conversion of the first floor of the building from residence to public assembly and a request to reopen was withdrawn; and

WHEREAS, Lama and Praskauer, for Hentie Realty Corporation, owner, requested a reopening of this case, to appeal from a decision of the acting borough superintendent of buildings; and

WHEREAS, the case was reopened June 20, 1939; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 19765-38, dated May 19, 1939, reads:

"1. Proposed public assembly in a frame bldg. is contrary to 2.1.3.5 and 4.2.1 of the Building Code."

and

WHEREAS, the building is 2 stories and attic (33 ft. 3 in.) in height, of frame construction, 34 ft. by 55 ft. in area, on a plot 95 ft. by 100 ft. in area, upon which has also been erected a 2 story and attic one family frame building, located in a residence use district, erected in 1914 and occupied since 1926: Cellar—ordinary use; 1st floor—play rooms and class rooms—100 persons; 2nd floor—dining room and classes—100 persons; 3rd floor—dormitory—27 persons, for which certificate of occupancy No. 79154 was issued August 26, 1936, for the use of 1st, 2nd and attic floors for boarding house for children and school for children in outside yard only; and

WHEREAS, the applicant contends that if the building is suitable for children to sleep in, play in and eat in, no additional hazard would be brought about if the children were taught on the premises. It is proposed to install an approved sprinkler system throughout the building and any additional exits that may be deemed necessary by the board; that the installation of the sprinkler system will increase the safety factor by 100%; and

WHEREAS, this appeal was granted by the board July 18, 1939, on certain conditions and owner requested an amendment of the resolution as to the sprinkler system.

Resolved, that the resolution adopted by the board on July 18, 1939, be and it hereby is *amended*, only so far as it has reference to the sprinkler system, so that amended, the resolution shall read:

"Resolved, that the decision of the acting borough superintendent on Alt. Applic. No. 19765-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that all devices for heating the building and supplying hot water shall be removed from the building and that such heat and hot water may be supplied from the plant in the adjoining building at No. 32 East 16th street (Buckingham road); that the existing stairway and exterior fire escape shall be maintained; that the building throughout shall be protected by a *one source sprinkler system connected to the city main or to the existing private waterworks main in the street, fed two ways*; and that the central office water flow alarm may be omitted; that in all other respects the building shall comply with the requirements of the certificate of occupancy No. 79154, issued August 26, 1936, except if the requirements of this resolution are complied with, the building may be used for classroom purposes on the 1st and 2nd floors only and that at no time shall there be any classrooms above the 2nd floor; that no cooking shall be carried on in the building and all equipment for cooking within the building shall be removed; that the roof space above the attic story shall be sealed off and left unused with no storage; that at all times the building shall be in charge of responsible persons both at night and day; that no further certificate of occupancy shall be issued until the requirements of this resolution have been fully complied with; that this modification shall con-

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tinue only so long as the building is occupied for a school, as proposed; that the occupancy of the entire building shall at no time exceed 100 persons throughout and not more than 40 persons shall occupy the building at night; that the building shall comply with all the requirements of the State Board of Regents and the Health Department of the City of New York, where applicable; that in all other respects the building and occupancy shall meet all laws, rules and regulations relating thereto."

1195-39-A.

APPLICANT—Jack Z. Cohen, for Corn Exchange Bank and Trust Co., owner.

SUBJECT—Application for consideration—reopening and amendment re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED — 625-629 West 130th street, north side, 325 ft. east of 12th avenue (Block No. 1997, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Larry Meltzer.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1195-39-A)

WHEREAS, Jack Z. Cohen, for Corn Exchange Bank and Trust Co., owner, filed September 28, 1939, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 625-629 West 130th street, north side, 325 ft. east of 12th avenue (Block No. 1997, Lot No. 14), Borough of Manhattan; and

WHEREAS, the decision of the acting borough superintendent, on Alt. Applic. No. 2941-39, dated September 22, 1939, reads:

"1. Building should be of fireproof construction. Sec. 4.2.1, B.C.

2. Two means of egress are required from each floor. Sec. 6.1.2.2.3, B.C.

3. Boiler room must be entirely separated from the building by fireproof walls, floor and ceiling and enterable only from outside the building. Show means of egress from areaway in rear to the street."

and

WHEREAS, the building is 3 stories (38 ft.) in height, 75 ft. by 95 ft. 3 in. in area, of Class 3 construction, equipped with a sprinkler system, erected in 1894, located in an unrestricted use district and occupied: Cellar—boiler room and storage; 1st floor—factory—12 persons; 2nd floor—same—17 persons; 3rd floor—same—15 persons; proposed to be occupied as a public garage for more than five (5) motor vehicles; and

WHEREAS, the applicant contends that under Alt. Applic. No. 618-27, the building was altered and converted from a stable to a factory and the sprinkler system was installed throughout the building; that the building as a factory has become outmoded and the owner desires to convert the building to a public garage in order to rent same; that all plumbing fixtures will be removed; that partitions will be removed; that a new elevator will be installed at front wall; that all floors and ceilings, posts and girders, fire-retarded; that the building is less than 7500 sq. ft. in area; that a modification is requested so as to permit the occupancy as proposed; and

WHEREAS, this appeal was granted by the Board, October 3, 1939, on certain conditions and applicant requested a reopening of the case, to permit appeal from further decision of the acting Borough Superintendent, relative to omission of west stairway and installation of fire escapes; and

WHEREAS, this decision dated September 7, 1939, reads:

"4. Proposed changes should be submitted to the Board of Standards and Appeal for their approval."

Resolved, that the resolution adopted by the Board on October 3, 1939 be and it hereby is amended, so that as amended this resolution will read:

"Resolved, that the decision of the acting borough superintendent of buildings, on Alt. Applic. No. 2941-39, dated September 22, 1939, Objections Nos. 1, 2 and 3 and decision dated September 7, 1939, Objection No. 4, be and they hereby are modified, and that the appeal be and it hereby is granted on condition that the ceilings throughout shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that in place of the existing stairways, a new stairway meeting the requirements of the Building Code shall be installed, running from the cellar to the roof, as indicated on revised plans filed, marked "Received November 30, 1939," and that a second means of exit, consisting of an exterior fire-escape with drop or counterbalanced ladder to the street, shall be installed on the front of the building, as remote as possible from the primary means of exit; that such fire-escape shall be connected to the roof; that the boiler room shall be separated from the balance of the building by fireproof construction with no openings in or from the garage and enterable only from the exterior; that other than as modified herein, all laws, rules and regulations applicable to construction of the building and occupancy shall be complied with."

GENERAL RESOLUTION

1464-39-GR.

SUBJECT—Approval of Inspection Agencies—re Opening Protective Assemblies.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—General resolution adopted.

THE VOTE TO ADOPT RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1464-39-GR)

WHEREAS, applications have been filed with the Board of Standards and Appeals for consideration of the applicant as approved inspection agencies, relative to Opening Protective Assemblies; and

WHEREAS, these applications were referred to the committee on tests for report; and

WHEREAS, the report of the committee on tests reads:

REPORT OF COMMITTEE ON TESTS

General Resolution—

Approval of Inspection Agencies

Cal. No. 1464-39-GR

December 18, 1939.

Applications have been made to the Board of Standards and Appeals under the provisions of the Rules for the Inspection of Opening Protective Assemblies for consideration as approved Inspection agencies.

Applications with qualifications have been received, as follows:

Frank H. Alcott, Prof. Engineer No. 6579—

420 Lexington Avenue, New York City

Edwin H. Kleinert, Prof. Engineer No. 11454—

8029 Shore Road, Brooklyn, N. Y.

Pittsburgh Testing Laboratory—

157 Chambers Street, New York City.

Protexol Testing Laboratory—

Kenilworth, N. J.

George E. Strehan, Prof. Engineer No. 3620,

Reg. Architect No. 3385—

33 West 42nd Street, New York City.

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Underwriters Laboratories, Inc.—
161 Sixth Avenue, New York City.

The committee on tests have reviewed these applications and recommend that the applicants as listed herein be approved as inspection agencies under the provisions of the rules of the Board of Standards and Appeals on Inspection of Opening Protective Assemblies, Cal. No. 1139-39-SR, and that such approval shall remain in force until rescinded by the board.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *approve* the inspection agencies set forth in the report of the committee on tests under the conditions so set forth.

APPLIANCES SUBMITTED FOR APPROVAL

559-39-SA.

APPLICANT—Westinghouse Electric and Manufacturing Company, owner.

SUBJECT—Application for consideration—reopening and amendment re approval of additional Model K-1—re Westinghouse "Spiralaire" Oil Burner, Model J, previously approved.

APPEARANCES—

For Applicant: F. D. McCann and Fred Harshberger.

ACTION OF BOARD—Application reopened and referred to Engineer for inspection and test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

1026-22-SA.

APPLICANT—Davis, Wagner, Heater and Hallett, for The Anthony Company, owner.

SUBJECT—(Reopened June 7, 1938) Amendment of resolution—re Anthony Nebulyte Oil Burner.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(1026-22-SA)

WHEREAS, the Anthony Company, owner, filed September 28, 1922, an application with the Board of Standards and Appeals for approval of the appliance known as the Anthony Nebulyte Oil Burner; and

WHEREAS, on the recommendation of a committee of the Board, this appliance was approved for Grade A and Grade B fuel oil, in industrial and manufacturing operations; and

WHEREAS, on March 15, 1932, the Board interpreted the resolution as approving all sizes of the burner; and

WHEREAS, Davis, Wagner, Heater and Hallett, attorneys for the Anthony Company, owner, requested a reopening of this application and the approval of the appliance for commercial installation with automatic controls; and

WHEREAS, this application was reopened by vote of the Board June 7, 1938 and referred to the Engineer of the Board for inspection and test; and

WHEREAS, the report of the Committee on Tests, of which the Engineer of the Board is a member, reads:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 1026-22-SA

Anthony Nebulyte Oil Burner,
Amendment of Resolution.

The Anthony Company, filed September 28, 1922, an application with the Board of Standards and Appeals for approval of the Anthony Nebulyte Oil Burner. This burner was approved for use in industrial and manufacturing operation May 13, 1924 and the applicant requested approval of the burner for commercial use with automatic controls. This application was reopened and referred to the Engineer of the Board June 7, 1938.

This burner was inspected and tested by a Committee of the Board accompanied by the representatives of the Division of Combustibles of the Fire Department at 723 Fourth Avenue, Brooklyn, on December 14, 1939.

The Anthony Nebulyte Burner is of the pressure atomizing nozzle type and consists of the following assembly:

A special cast iron burner head incorporating therein a brass nozzle for the atomization of the oil, along with the necessary oil pumps, strainers and air compressors. In the burner head the air and oil are atomized and mixed to join in a fine spray. This burner has previously been approved under Calendar No. 1026 of 1922 by the Board of Standards and Appeals.

The model submitted for examination and test was equipped with the following: A Warren electric pre-heater, a magnetic oil valve, type K-10 manufactured by the General Controls Company, a magnetic gas valve located in the pilot line, manufactured by the General Controls Company, a needle type regulating valve for the supply of oil manufactured by the Anthony Company.

Oil Supply: By means of a duplicate set of Viking pumps operated by a one-half horse power Louis Allis Company motor.

Air Supply: By means of Turbo Compressor Company Air Turbines operated by means of a General Electric one and one-half horse power motor. The motors of the air compressor and oil pump are wired in a series circuit so that if either one fails the burner cannot be operated.

Ignition: Gas Electric. A Webster or Dongan transformer with an expanding gas pilot light. By using a relay in the stack control, ignition is maintained for approximately 3 minutes after the starting of the burner.

Controls: A Minneapolis Honeywell Pyrostat; a Minneapolis Honeywell Pressurtrol or in case of hot water heat a Minneapolis Honeywell Aquastat, and a protectorelay type R-157 A.

Operation: The pump delivers the oil to the pre-heater and when a temperature of 140-150° F., is reached, the magnetic oil valve allows the oil to flow to the burner head where ignition takes place. The oil is heated by the electric pre-heater until the temperature in the low water pre-heater is high enough to maintain a constant temperature for the oil in the suction line to flow freely to the burner.

With the oil supply shut off the burner was put into normal operation and the controls functioned and shut the burner down in 103 seconds and 105 seconds respectively on two tests. The burner was then put into normal operation, and all the controls were found to function as designed.

This burner may be used for the burning of number 4 and 5 oils in which case the only difference in controls will be that the pre-heater will not be supplied as these oils do not require any pre-heating, otherwise the operation of the burner is the same as number 6 oil.

As a result of this inspection and test, therefore, it is recommended that the ANTHONY NEBULYTE

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OIL BURNER be approved for industrial and commercial use with fully automatic operation with number 4 and 5 oil and number 6 pre-heated oil, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, on condition that the Burner shall bear a label permanently affixed thereto reading: "Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 1026-22-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Anthony Nebulyte Oil Burner, on condition that the appliance be manufactured, installed, operated and labelled in accordance with above report.

839-39-SA.

APPLICANT—Acme Fire Alarm Co., Inc., owner.

SUBJECT—Acme Type P.S. High and Low Water Level Indicating Device for Pressure Tank—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(839-39-SA)

WHEREAS, The Acme Fire Alarm Co., Inc., owner, filed June 22, 1939, an application with the Board of Standards and Appeals for approval of the appliance known as The Acme Type P. S. High and Low Water Level Indicating Device for pressure Tank; and

WHEREAS, this appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

Cal. No. 839-39-SA December 19, 1939
Premises: Acme Type P. S. High and Low Water Level Indicating Device for Pressure Tank.

The Acme Fire Alarm Co. Inc., owner, filed June 22, 1939, an application with the Board of Standards and Appeals for approval of the Acme Type P. S. High and Low Water Level Indicating Device for Pressure Tank, under the provisions of C26-1366.0 (15.32) and C26-1419.0 (16.7.12) Administrative Building Code.

An inspection and test of this device was made at 36 West 15th street, by the Committee of the Board accompanied by the Representative (Mr. Richard C. Lent) of the Division of Fire Prevention of the Fire Department on December 7, 1939.

This device consists of a hard rubber float 1¼ inches in diameter secured to a syphon brass bellows with ¼—20 thread screw. The bellows is manufactured by the American Brass Company and is silver soldered to a bronze bushing threaded for 1½ inch pipe. This bellows and bushing are tested for 200 p. s. i. pressure.

The contacts consist of two mercury contact switches mounted on a Bakelite base. These switches are rated at 10 amperes 120 volts and are held secure with clips and wired to a terminal block mounted in the bottom of the aluminum casting. The switch is tested after assembly for breakdown on 1500 volts A.C. The

housing for the device consists of an aluminum casting with recessed cover held by two fastening screws. This cover is provided with a gasket. A tapped hole is provided for conduit entrance. At the test the device was found to operate satisfactorily.

It is recommended that the Acme Type P. S. High and Low Water Level Indicating Device for Pressure Tank be approved for use in New York City for sprinkler and standpipe pressure tanks under the provisions of C26-1366.0 (15.32) and C26-1419 (16.7.12) of the Administrative Building Code and the Sprinkler Rules of the Board of Standards and Appeals as applying to buildings subject to the Requirements of the Labor Law, on condition that the device has a label reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 839-39-SA".

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Acme High and Low Water Level Indicating Device for Pressure Tank, on condition that the appliance be manufactured, installed, operated and labelled in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL

614-39-SM.

APPLICANT—O. M. Knoof, Inc., owner (manufactured in Brevik, Norway).

SUBJECT — "Dalen" Gray Norwegian Portland Cement—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

374-39-SM.

APPLICANT—The J. G. Wilson Corporation, owner.

SUBJECT—Wilson Steel Rolling Fire Shutter, Type No. 23—approval of.

APPEARANCES—

For Applicant: W. W. Daiker.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

THE RESOLUTION—

(374-39-SM)

WHEREAS, the J. G. Wilson Corp. of New York City, owner, filed March 25, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Wilson Rolling Steel Fire Shutter, Type No. 23; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests reads:

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REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 374-39-SM.

Subject: Wilson Steel Rolling Fire Shutter,
Type No. 23.

November 15, 1939.

The J. G. Wilson Corporation of New York City filed on March 25, 1939, a request for the approval of the Wilson Rolling Steel Fire Shutter on the basis of a 3 hour requirement for the protection of openings in fire walls, as provided for in C26-610.0 (10.1.18 B.C.) and C-26-660.0 (10.8.1 B.C.).

The details of the construction of the Wilson Rolling Steel Fire Shutter and the results of the test of the fire retardant performance of this door when subjected to a 3 hour fire test at the Underwriters' Laboratories, Chicago, Illinois, as witnessed by the undersigned, are as follows:

Details of Test Door

The typical door selected for the test was a Wilson Rolling Steel Fire Shutter known as Type No. 23 (see figure 1). This shutter was constructed to protect an

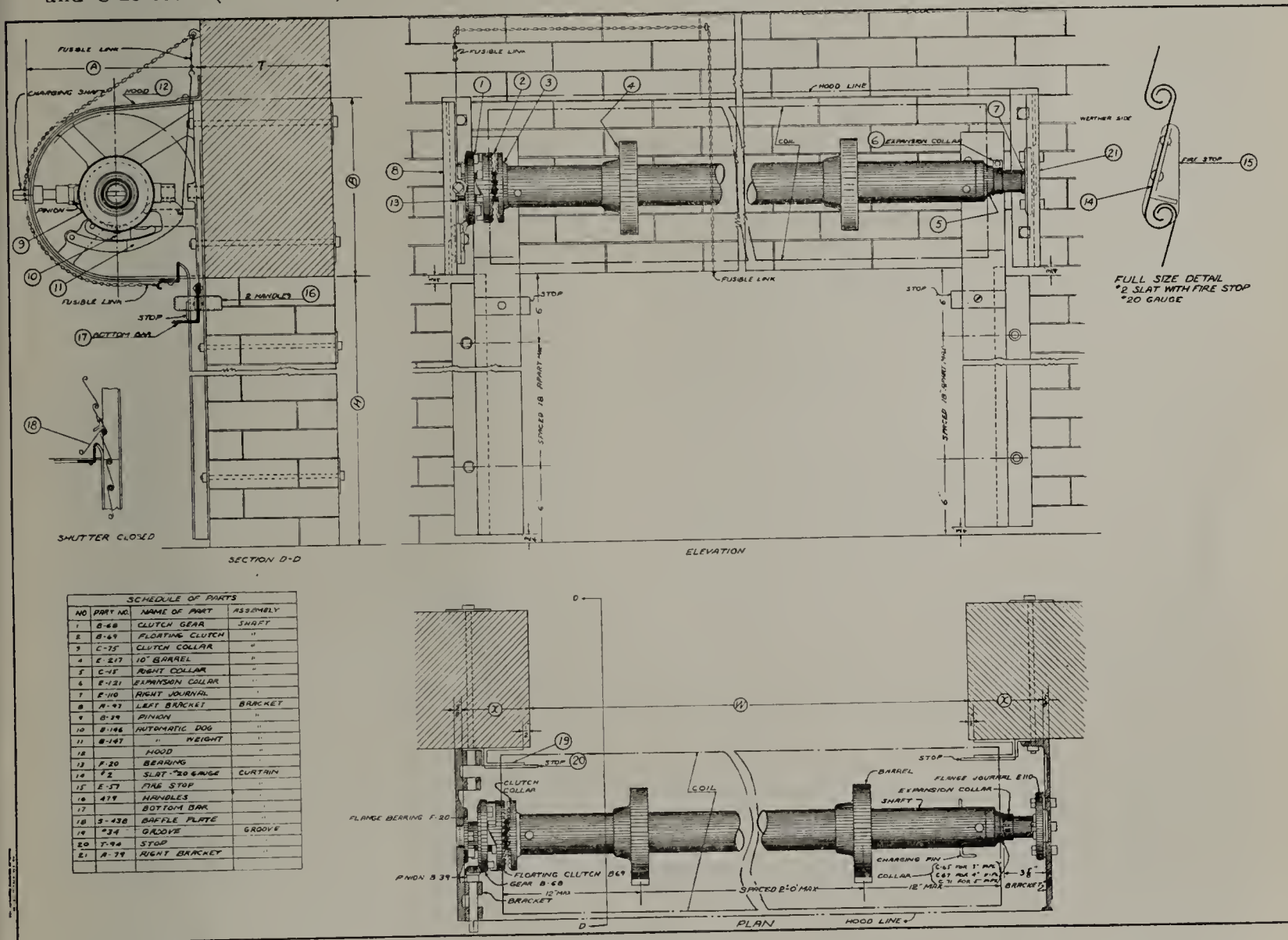


FIGURE 1

opening 9' 0" wide x 10' 0" high, in a fire wall. It consisted of a single door with a spring counterbalanced curtain made of No. 20 U.S. Gauge cold galvanized open hearth steel, with interlocking type slats. These slats are provided with malleable iron end locks or fire stops, secured to each end of every slat with two $\frac{1}{4}$ " rivets. These fire stops form a continuous end baffle to prevent passage of smoke and flame around the ends of the curtain. The curtain, as made up of these slats, extends from the sill to the center of spring barrel, plus $1\frac{1}{2}$ times the diameter of the barrel and extends sidewise into the guides to a depth of $2\frac{3}{4}$ ". The top of curtain is reinforced with two 1" x $\frac{1}{8}$ " flat bars, equal to length of slats; one bar being placed on either face of slat, and all three members held together by $\frac{1}{4}$ " rivets, spaced not more than 12" on centers, and fastened to barrels or rings with $\frac{5}{16}$ " round head machine screws spaced not more than 24" on centers. The bottom of curtain is reinforced by a $3\frac{1}{2}$ " x $2\frac{1}{2}$ " x $\frac{1}{4}$ " angle and a 1" x $\frac{1}{8}$ " steel plate. The curtain slat is mounted between the bar and angle, and all three members are held together with $\frac{1}{4}$ " rivets or bolts spaced not more than 12" on centers. Angle

and plate have slotted holes $\frac{9}{32}$ " x 1" long, running horizontally to provide for expansion and to prevent buckling of reinforcing members. The face of the curtain farthest from the wall is fitted with a baffle plate designed to support the weight of the curtain when the latter is in its closed position in the event of failure of the spring or shaft, and serves as a barrier against the passage of flame into the hood and around the coil. The baffle plate is made of No. 20 U.S. Gauge galvanized copper bearing steel, in same form as curtain slat, and is engaged continuously throughout its length at the interlock between two successive slats occurring nearest to the bottom reinforcing angle of the hood. It makes contact with the reinforcing angle of the hood when it is closed, and limits the amount of curtain extending into the grooves to the necessary area to cover opening properly. The function of the baffle plate is not dependent on a second fusible element, but operates automatically when door or shutter reaches the closed position, whether door is operated normally or automatically through functioning of the link. As a further safeguard to prevent the curtain piling in the grooves in the event of spring failure or

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failure of the baffle plate, a clip angle is provided immediately above the baffle plate and is riveted to the slat with two $\frac{1}{4}$ " rivets each. A special form of malleable iron end lock on this one slat can be substituted for the angle clip. This end lock would be formed with a cast lip in essentially the same position as the angle clip. The curtain is guided and held to the wall by one-piece channel shaped grooves rolled of $\frac{3}{16}$ " steel plate. These grooves are attached to 2" x $1\frac{1}{4}$ " x $\frac{3}{16}$ " angles with $\frac{1}{4}$ " bolts or rivets spaced not more than 12" on centers, and not more than 3" from either end. Slotted holes are provided vertically in angle to permit expansion. Angle attached to wall with $\frac{3}{8}$ " bolts, spaced not more than 18" on centers, and not more than 6" from each end, and pass through slotted holes to provide further vertical expansion and prevent buckling. The barrels to which the upper end of curtain and reinforcing members are fastened are made of malleable iron in spiral shape, and are of a hinged design, secured to the shaft with $\frac{3}{8}$ " bolts. They are spaced not more than 24" on centers. The door shaft is made of 3" wrought iron pipe with wall thickness .216" and is fitted at each end with cast iron collars containing self lubricating bronze bushings. It is supported by malleable iron flanged journals secured rigidly to door brackets by three $\frac{1}{2}$ " square head machine bolts. The over-all length of shaft is made a sufficient amount less than the distance between brackets to allow for $\frac{1}{8}$ " expansion per foot of opening width should the shaft be raised to a temperature of 2000° Fah. Counterbalance is obtained by an oil tempered helical spring designed and wound especially for the door in which it is used. One end of this spring is anchored to the pipe shaft and the other end attached to a forked journal forming part of the automatic closing mechanism. The automatic closing mechanism is a device consisting of 3 principal parts: the clutch gear, the floating clutch and the clutch collar. It is assembled as an integral part of the door shaft, and no part thereof extends outside the main door brackets. Normally the clutch and clutch gear are held apart or out of mesh and immovable by the fusible link and link chain; the door shaft revolving about the clutch gear for normal operation. Upon release of the fusible link and slacking of the link chain, the clutch gear holding the dead end of the spring is momentarily released, causing the floating clutch to engage the clutch collar. The impact of this action causes a starting impulse to the shaft and the curtain. The engagement of the floating clutch with the clutch collar locks the counterbalancing spring completely within the revolving shaft, thereby removing the entire counterbalancing effect of the spring on the curtain. The curtain falls by gravity until the shaft has made one complete turn, when the floating clutch is automatically disengaged from the clutch collar by the action of the stop lug on the clutch gear and action of spring between clutch collar and clutch gear. This action brings back into play a subnormal counterbalance which retards the rapid fall of the door and cushions the closing movement. The door can be readily opened thereafter but will return to the fully closed position until automatic is reset and link replaced. The automatic mechanism is reset by raising the door to its open position and bringing the counterbalancing spring to its normal position by means of the recharging shaft and crank provided and replacing the fusible element. The brackets to which the door shaft is attached are made of grey cast iron of proper size to house the coil and of proper shape to carry the hood that covers the coil. Bracket flanges are provided with holes for $\frac{1}{2}$ " bolts for attachment of building structure. The hood is formed in a "D" shape of No. 24 U. S. Gauge galvanized steel sheet. It is reinforced along its top edge with an angle formed of hood material bent back on itself, and at the lower edge with a 2" x $1\frac{1}{4}$ " x $\frac{3}{16}$ " angle which acts as a stop for the baffle plate.

The upper reinforced edge of hood is attached to wall with $\frac{3}{8}$ " square head bolts, spaced not more than 24" on center. A hood support is provided on doors exceeding 8'0" in width. This support is made of 2" x $\frac{1}{4}$ " strap iron formed to fit the center of the hood and bolted to the wall with not less than $\frac{1}{2}$ " bolts. The hood is secured to the support with not less than three $\frac{5}{16}$ " machine screws.

This door (figure 1) was subjected to the Three-hour Fire Test of opening Protective Assemblies, as specified in Article 11, Fire Resistive Construction, Sub Article 1 Fire Resistive Materials, Group 5 Fire Tests, Group 6 Fire Test Structure, Group 7 Fire Test Samples, and Group 9 Hose Stream Test, Administrative Code, to meet the requirements of C26-610.0 A.C. (10.1.18. B.C.) for fire walls (three hours). This test was performed at the Underwriters' Laboratories, Chicago, Illinois, on November 15th, 1939, and a copy of their report of this test is filed with this record.

The test assembly was designed for mounting on one face of a fire wall with an opening 9 ft. in width and 10 ft. in height. The Wilson Type No. 23 shutter mounted thereon, unpainted but galvanized, was inspected and labeled by the Underwriters. The fire was exposed to one face of the door for the required three hours, after which time the panel was withdrawn from the furnace and subjected to the hose stream test with the results as indicated in the Underwriters' report, indicating that the door met the requirements for the three hour rating. No passage of flame through the door, or smoke in significant amount, occurred during the three hours of fire exposure and the door satisfactorily met the requirements of the hose stream test. There was, however, a condition of warping in the bottom bar of the door because of lack of proper provision for expansion* (See conditions of approval). The other conditions of expansion of all door parts, warping of the curtain, and deflection of the barrel, were constructed with ample provision to meet the conditions of service as was reflected by this fire test.

On the basis of this test, the Committee recommends the approval of The J. G. Wilson Corporation Rolling Steel Fire Shutter, Type No. 23, when manufactured in sizes permitted by the building code, as meeting the requirements of C26-610.0 A.C. (10.1.18 B.C.) and C26-660.0 A.C. (10.8.1 B.C.) as a three hour protective assembly, excepting that these doors are not to be used as opening protective assembly for required means of egress. Where there is combustible material within 15 ft. of an opening, two such doors are to be installed in such opening. In every door used under this approval, the slots in the bottom bar are to be extended at least one inch in both directions from the bolt securing the bar to the shutter, so as to provide for expansion in either direction.

It is further recommended that each door carry a metal label with raised letters reading as follows: "Approved for use in New York City by the Board of Standards and Appeals, under Cal. No. 374-39-SM, Three-hour Fire Door." The inspection of each door manufactured for use under this approval shall be in accordance with the requirements of the Rules for the Inspection of Opening Protective Assemblies of the Board of Standards and Appeals.

* To prevent warping of the bottom bar it is recommended that larger slotted holes be employed and the bolts or rivets be placed in the center of the slotted hole to permit expansion in both directions.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

MINUTES

and
WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Wilson Rolling Steel Fire Shutter, Type No. 23, on condition that the material be manufactured, installed, operated and labelled in accordance with above report.

777-39-SM.
APPLICANT—Hudson Concrete Block Company, Inc., owner.

SUBJECT — Hudson Concrete Block Co., Inc., Cinder Building Units—approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0

THE RESOLUTION—
(777-39-SM)

WHEREAS, the Hudson Concrete Block Company, Inc., owner, filed June 12, 1939, an application with the Board of Standards and Appeals for approval of the material known as Cinder Building Units; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:
REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 777-39-SM
Cinder Building Units as manufactured by the Hudson Concrete Block Co., Inc.

On June 12, 1939, application was filed by Hudson Concrete Block Company, Inc., for approval of Cinder Building Units manufactured by the applicant at Croton-on-Hudson, N. Y.

On July 26, 1939, tests were conducted at the Materials Testing Laboratory of Cooper Union on the applicant's 3 cell, 7.8 in. by 15.7 in. by 7.9 in. hollow cinder block with approximately 46% air space to determine the minimum ultimate compressive strength as required by section C26-309.0 d of the Administrative Code (7.1.1.4 BC), with the following results:

Area sq. in.		Crushing Strength, lb/sq. in.	
Block	Gross	Net	Net
2	112.46	60.34	1028
3	112.46	60.34	889
6	112.46	60.88	882
7	112.46	60.88	974
10	112.46	60.73	1083
Average		971	1801

The blocks which were selected for the tests varied in age from 14 to 30 days.

The aggregate is composed of the following:

Seven Parts of Crushed Soft Coal, Cinders screened through 3/8 mesh screen,

One Part Universal Atlas Portland Cement.

This aggregate is mixed for about three minutes with 10 gallons of water to make a dry mix usable in a Besser Power Tamping Block Machine. The blocks are then steamed with live steam for 24 hours and piled in the yard for further curing.

The applicant amended the application on October 6, 1939 so as to limit the request for approval for the use of the material to non-load bearing partitions and back-up work.

It is accordingly recommended that the 8" x 8" x 16" hollow cinder concrete block as manufactured by the Hudson Concrete Block Co., Inc., Croton-on-Hudson, N. Y., be approved for use in New York City in non-load bearing partitions, fireproofing and furring, in accordance with the provisions of Section C26-309.0d (7.1.1.4) of the Administrative Building Code, on condition that such units be marked on their face with two readily discernible parallel grooves, indicating non-load bearing blocks and that the cement used in their manufacture be approved and that only clean and graded hard cinders, free from dirt, excessive dust or other injurious matter, with a combustible content not exceeding ten per cent. by weight be used, and when manufactured as specified herein. Each unit shall be marked with the manufacturer's distinguishing mark and each shipping bill have stamped thereon the following: "Approved by the Board of Standards and Appeals for use in New York City as non-load bearing blocks under Cal. No. 777-39-SM."

(Sgd.) BERNARD A. SAVAGE,

Commissioner.

CHARLES M. BLUM,

Commissioner.

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Cinder Building Units manufactured by the Hudson Concrete Block Co., Inc., on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

Adjourned, 6:10 P.M.

JOSEPH J. DOYLE, Chief Clerk.

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Name	Calendar No.
Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Crocker National Fire Prev. Eng. Co.	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Name	Calendar No.
New York Brass Foundry Co. (Stillbech)	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Jenkins Brothers	780-28-SA
Crocker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Borough Superintendent of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

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- 3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.
- 3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

- 4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.
- 4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.
- 4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.
- 4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.
- 4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.
- 4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.
- 4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.
- 4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

- 4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

- 4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.
- 4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.
- 4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.
- 4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.
- 4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.
- 4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.
- 4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.
- 4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.
- 4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction.
- 4.4.1 Artificial lighting shall be only by means of electricity.
- 4.5 LIGHTING FIXTURES.
- 4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

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- 4.5.2 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gallons

may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

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6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.

6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.

6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible material shall be stored or maintained within 15 feet of any spray booth.
- (c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

Rule 1.3 Heating of Rooms.

Rule 3.1 Air Exhaust System.

3.2 Air Supply and Mixing.

Rule 4.1 Construction of Spray Booths.

4.1.3 Surfacing of Booths.

4.1.5 Surfacing of Booths.

4.2.2 Maintenance of Ducts.

4.2.5 Electric Lighting.

4.2.6 Method of Induced Draft.

4.4 Separation of Booth from Flame.

4.4 Location of Motors.

Rule 5.1 Certificate of Fitness.

5.2 Smoking, Matches, etc.

5.6 Maintenance of Equipment.

5.7 Cleaning Implements.

5.9 Fire Appliances.

5.10 Accumulation and disposal of waste materials.

5.12 Motor Vehicles in booths or rooms.

Rule 6. Storage and Mixing.

Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Automatic Paint Sprayer.....477-37-SA.
Binks-Hu-Ro-Thor-Hurley Spray Equipment...338-32-SA.
De Vilbiss Spray-Painting Equipment.....336-32-SA.
Eclipse Spray Painting Equipment.....151-38-SA.
Eureka Paint Sprayer.....478-37-SA.

Milburn Spray Painting Equipment.....492-38-SA.
Paasche Spray Painting Equipment.....363-32-SA.
Sharpe Spray Guns, Models B-21, C-21, RA-21,
RC-21, GA-37, GC-37, Bear-Cat, K, KF, KO,
L, M-2, M-4, FA-36 and FC-36.....604-38-SA.
Spraco Spray Painting Equipment.....479-32-SA.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood joisted floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths ($\frac{7}{8}$) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half ($2\frac{1}{2}$) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth ($\frac{1}{4}$) of one (1) per cent of steel mesh;

(b) Two and one-half ($2\frac{1}{2}$) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half ($\frac{1}{2}$) inch plaster boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the

floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

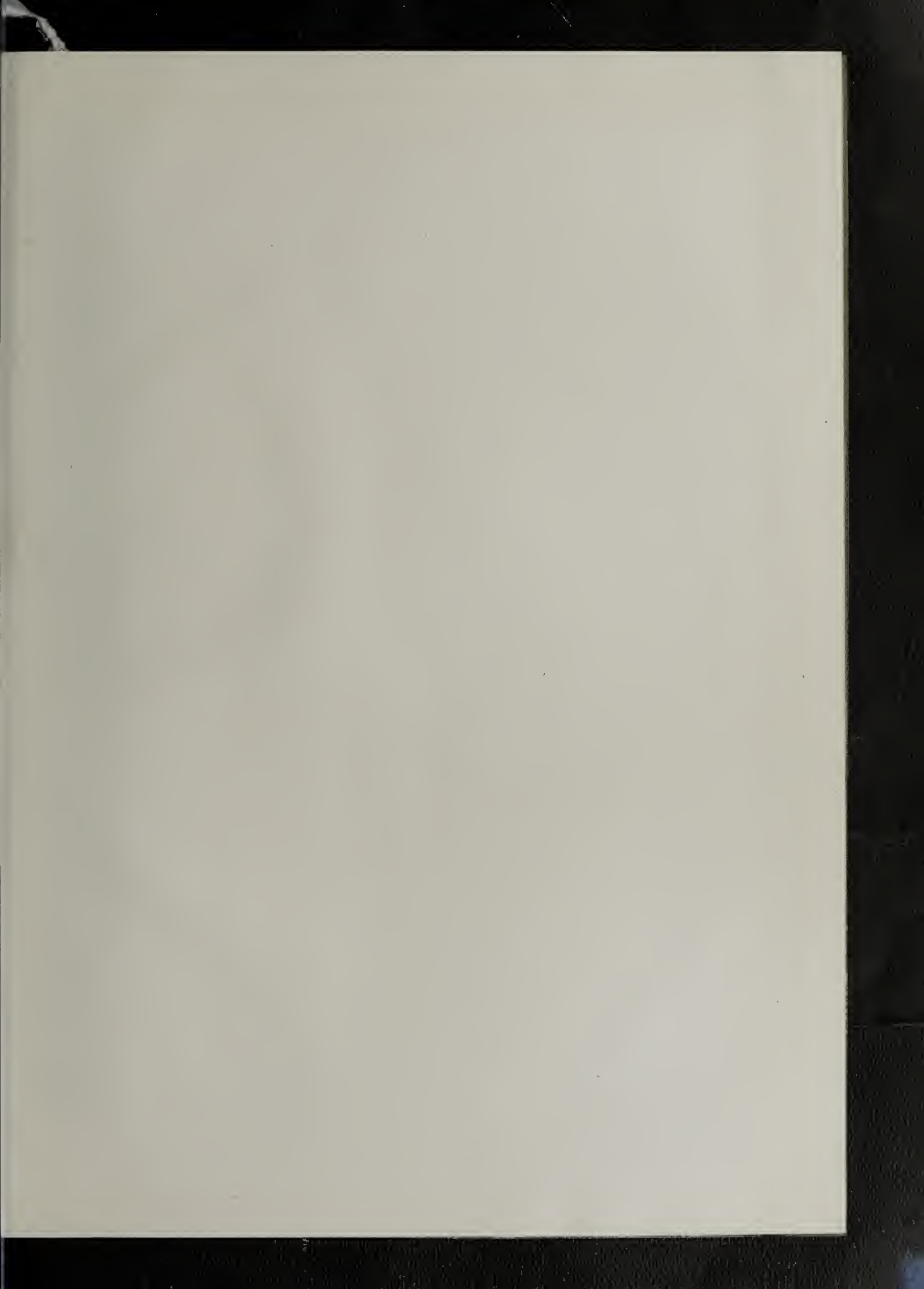
(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) of an inch thick;

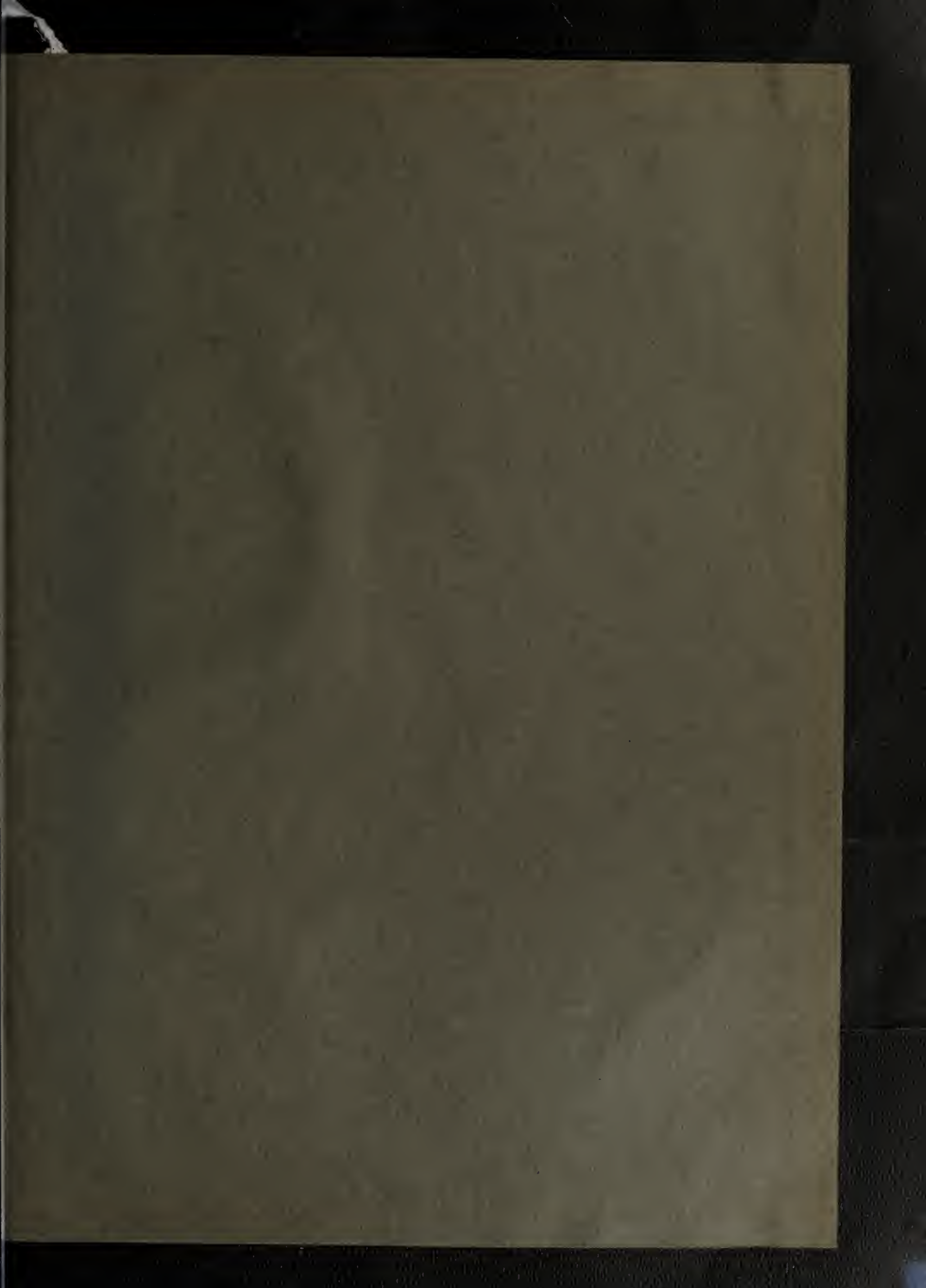
(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, one-half ($\frac{1}{2}$) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

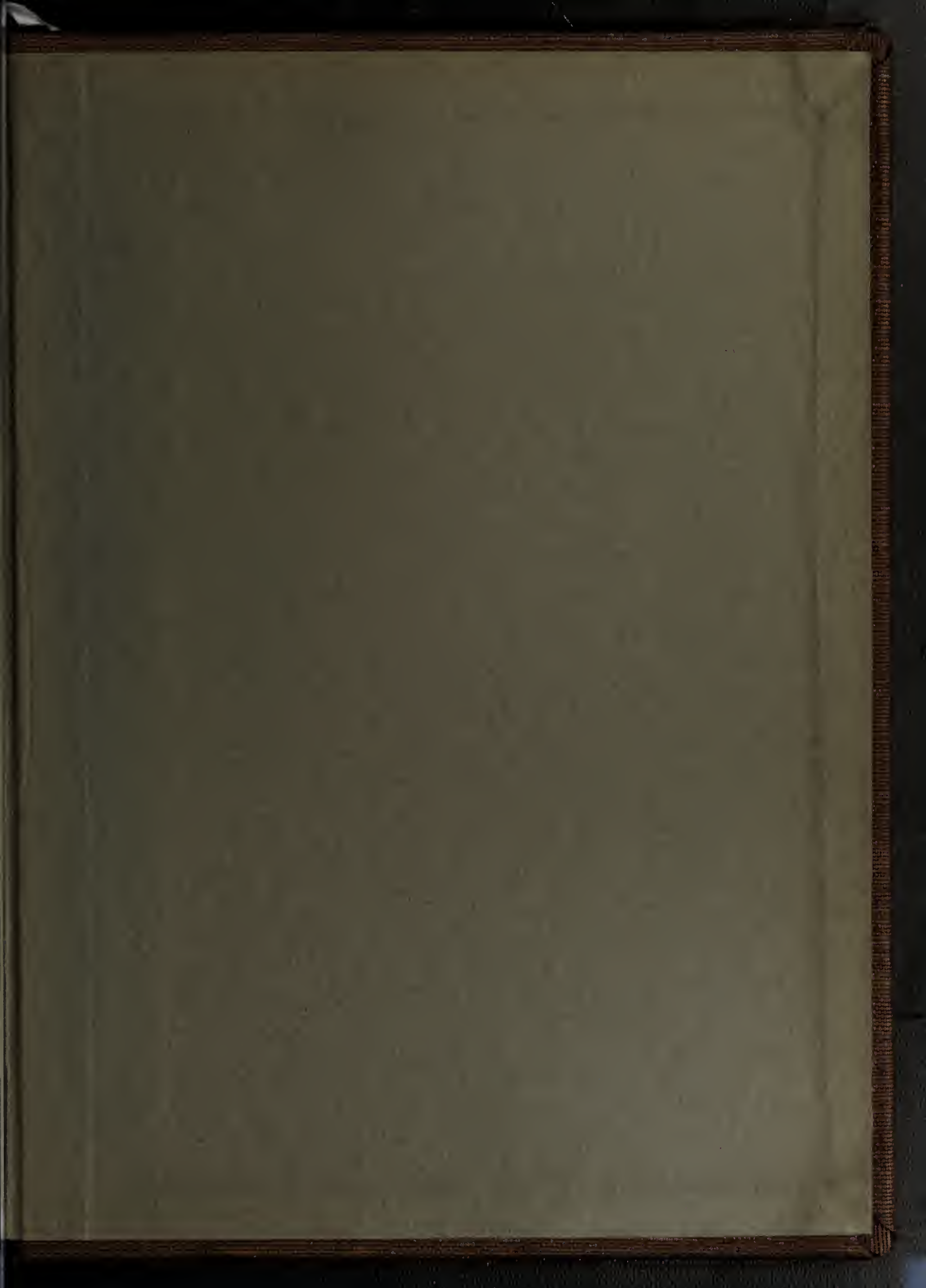
(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths ($\frac{7}{8}$) inch wood sheathing, two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.







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